



JOURNALS
of the
HOUSE OF BURGESSES
of Virginia

1727--1734

1736--1740



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The House of Burgesſes
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No. 29

JOURNALS

of the

HOUSE *of* BURGESSES

of

VIRGINIA

1727-1734
1736-1740

Edited by
H. R. McILWAINE



RICHMOND, Virginia

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Burgeffes for the Affembly

of 1727-1734.

FOR the Affembly of 1727-34 there is no contemporary lift of members. Hence, fince the Journals give only in exceptional cafes the county for which a member ferved, and only rarely his full name, (though) it has not been a fimple matter to fit the members to their conftituencies; it has not been impoffible. The information obtained from the Journals themfelves—moftly ftated facts, but occasionally inferences from facts—has been fupplemented by information obtained from the county court record books, from the incomplete lifts of members given in *Stanard's* "Colonial Regifter" for the four feffions of this Affembly (Mr *Stanard's* fources being the county court record books, the *Virginia Gazette*, and the Journals of the Council), and the complete lifts of members for the Affemblies of 1723-26 and 1736-40 copied in the "Colonial Regifter" from contemporary original lifts. Therefore, the hope may be expreffed that the following lift is accurate.

Accomack:	William Andrews ¹	Hanover:	John Syme ²
	Sacker Parker		Nicholas Meriwether
Brunfwick:		Henrico:	Richard Randolph
Caroline:	Richard Buckner ³		John Bolling
	John Martin	Ifle of Wight:	William Bridger ⁴
Charles City:	Samuel Harwood		Joseph Godwin ⁵
	John Stith	James City:	Joseph Egglefton ⁶
Elizabeth City:	Robert Armiftead ⁷		John Eaton
	———— Hollier	Jameftown:	Archibald Blair ⁸
Effex:	Salvator Mufcoe ⁹	King & Queen:	John Robinfon
	William Daingerfield		George Braxton
Gloucefter:	Francis Willis	King George:	Nicholas Smith ¹⁰
	Henry Armiftead		William Strother ¹¹
Goochland:	Dudley Diggs	King William:	Philip Whitehead
	John Fleming		Thomas (?) Carr

¹ William Andrews accepted the office of infpector (p. 119), and was fucceeded by Samuel Ewell, who died a few days before the clofe of the fourth feffion (229).

² The formation of Brunfwick was provided for by a law paffed in 1720 (Hening, IV, 77-79), but it does not appear to have become a fully formed county till 1732. Its county court records date back to that year, and in that year it was represented—probably not earlier—in the Houfe of Burgeffes. The names of the representatives do not certainly appear. Mr. Henry Fox was poffibly one of them.

³ Caroline county was formed by a law paffed at the firft feffion of this Affembly (p. 52), representatives for it appearing firft at the fecond feffion (p. 57).

⁴ Richard Buckner died fome time before the opening of the fourth feffion (p. 173). It is uncertain who fucceeded him.

⁵ Robert Armiftead accepted the office of fheriff fome time before the opening of the third feffion (p. 119). He was probably fucceeded by Merit Sweney.

⁶ Salvator Mufcoe accepted the office of fheriff fome time before the opening of the third feffion (p. 119). He muft have refigned from his pofition and been re-elected to the Houfe, however, for the name "Mufcoe" appears later in the Journals (163, 195), and the Effex county court order book fhow's that he was paid for his fervices as burgef's on November 19, 1734.

⁷ Goochland was formed from Hanover according to a law paffed at the firft feffion of this Affembly. Its representatives appeared for the firft time at the fecond feffion (pp. 52 and 57).

⁸ John Syme, dying, was fucceeded by Matthew Anderfon (135-6).

⁹ Before the opening of the third feffion, Mr. William Bridger died and Mr. Joseph Godwyn was appointed an infpector of tobacco. It does not appear beyond doubt who fucceeded them, though probably Mr. Applewhaite (pp. 140, 185) was the fucceffor of one.

¹⁰ Mr. Joseph Egglefton died before the opening of the third feffion. His fucceffor does not beyond doubt appear. It was probably, however, Mr. Henry Power.

¹¹ Archibald Blair died fome time preceding the opening of the fourth feffion (p. 173). He was probably fucceeded by his fon Jno. Blair; the name "Blair" appears in the Journal for the fourth feffion (183ff).

¹² Both Mr. William Strother and Mr. Nicholas Smith died before the opening of the fourth feffion. One was fucceeded by Mr. John Champ (pp. 193, 195, 208), and the other probably by Mr. William Robinfon (194).

Lancafter :	Charles Burgefs ¹³	Prince William: ¹⁸	Peter Hedgman
	Edwin Conway		Dennis McCarty
Middlefex :	Matthew Kemp ¹⁴	Richmond :	John Tayloe ¹⁹
	Edwin Thacker		Charles Grymes
Nanfemond :	David Meade	Spotfylvania :	Auguftine Smith
	———— Lear		Henry Willis
New Kent :	Richard Richardfon ¹⁵	Stafford :	John Fitzhugh ²⁰
	———— Bacon		———— Thornton
Norfolk :	William Crafford ¹⁶	Surry :	John Simmons
	(Crawford)		Henry Harrifon ²¹
	Samuel Boufh	Warwick :	William Rofcoe ²²
Northampton :	Peter Bowdoin ¹⁷		William Harwood
	Thomas Marfhall ¹⁷	Westmoreland :	Geo. Eskridge
Northumberland :	George Ball		Thomas Lee ²³
	Peter Prefley	Williamsburg :	John Clayton
Princefs Anne :	———— Land	William & Mary: ²⁴	George Nicholas ²⁵
	Anthony Walke	York :	John Holloway, Speaker
Prince George :	Robert Bolling		Lawrence Smith
	Thomas Ravenfcroft		

¹³ Mr. Charles Burgefs died (p. 173), and was fucceeded by Mr. James Ball.

¹⁴ Mr. Matthew Kemp, fome time preceding the third feffion, was appointed to feveral "offices of profit" under the government (p. 119). He was probably fucceeded by Thomas Price.

¹⁵ Mr. Richard Richardfon accepted the office of fheriff (p. 119). His fucceffor in the Houfe was probably William Baffett.

¹⁶ William Crafford accepted the office of fheriff (p. 173). It is uncertain who his fucceffor was—probably Mr. Wilfon (196).

¹⁷ Mr. Peter Bowdoin accepted the office of infpector of tobacco fome time before the opening of the third feffion of this Affembly (p. 119), and Mr. Thomas Marfhall the fame position fome time before the opening of the fourth feffion (174). It is uncertain who took their places.

¹⁸ Burgefes for Prince William firft appeared in the third feffion, the county having been formed according to law paffed in the fecond feffion (1730).

¹⁹ Mr. John Tayloe was advanced to the Council in the latter part of 1732 (p. 173), and was fucceeded by Mr. Daniel Hornby.

²⁰ Mr. John Fitzhugh died before the opening of the fourth feffion. It is not known who was his fucceffor.

²¹ After the clofe of the fecond feffion, Mr. Henry Harrifon was advanced to the Council. He was fucceeded in the Houfe by Mr. William Gray.

²² Mr. William Rofcow (Rofcoe) accepted the position of fheriff before the opening of the third feffion (p. 119). He muft have refigned from his position, however, and been reelected, for the Journal fhows that a Mr. Rofcow was a member of the Houfe at this and the next feffion (p. 183), and William Rofcow was a member for the next Affembly.

²³ Mr. Thomas Lee was advanced to the Council in 1732-33 (p. 173), and was fucceeded by Mr. Daniel McCarty.

²⁴ A representative from William & Mary did not take his place in the Houfe of Burgefes till the and feffion of this Affembly, the trustees not having till fhortly before the opening of the feffion turned over the management of its affairs to the president and mafters.

²⁵ Mr. George Nicholas died (p. 173), and was fucceeded by Sir John Randolph.

Burgeffes for the Affembly of 1734-1740.

Accomack :	Henry Scarburg ¹ Sacker Parker ²	King William :	Cornelius Lyde ¹⁰ Leonard Claiborne
Amelia :	Edward Booker Richard Jones	Lancafter :	Edwin Conway James Ball
Brunfwick :	Henry Embry John Wall	Middlefex :	Thomas Price ¹¹ Edmund Berkeley
Charles City :	William Acrill ³ B. Harrifon	Nanfemond :	Daniel Pugh Lemuel Riddick ¹²
Caroline :	Robert Fleming ⁴ Jonathan Gibfon ⁵	New Kent :	William Macon ————— Doran ¹³
Elizabeth City :	W. Weftwood Merit Sweney	Norfolk :	William Craford ¹⁴ Samuel Boufh
Effex :	Tho. Waring Salvator Mulcoe	Northampton :	Math. Harmanfon P. Bowdoin
Gloucefter :	Francis Willis Lawrence Smith ⁶	Northumberland :	Peter Prefley George Ball
Goochland :	Edward Scott ⁷ James Holman	Orange :	Robert Green ¹⁵ William Beverley
Hanover : ⁸	William Meriwether Robert Harris	Princefs Anne :	Anthony Walke Jacob Ellgood
Henrico :	Richard Randolph	Prince George :	Francis Eppes Robert Munford
Ifle of Wight :	Joseph Grey John Simmons	Prince William :	Thomas Osborne ¹⁶ Valentine Peyton
James City :	W. Marable John Eaton ⁹	Richmond :	J. Woodbridge Wm. Fantleroy
Jameftown :	Lewis Burwell	Stafford :	Henry Fitzhugh John Peyton
King George :	Charles Carter Thomas Turner	Spotfylvania :	William Johnfon Rice Curtis ¹⁷
King & Queen :	J. Robinfon Gawin Corbin		

¹ Henry Scarburg accepted the office of collector (p. 392), and was fucceeded by Edward Allen.

² Sacker Parker died (p. 322), and was fucceeded by Edmund Scarburg (p. 370).

³ William Acrill died (p. 323), and was fucceeded by Richard Kennon.

⁴ Robert Fleming died (p. 322), and was fucceeded by John Martin.

⁵ Jonathan Gibfon was declared not duly elected (pp. 274-5). He was, however, returned at a fecond election (345).

⁶ Lawrence Smith died (p. 392), and was fucceeded by Beverley Whiting, whose election was contefted (pp. 412,414). He was declared not duly elected (pp. 425-7), but it does not appear who fucceeded him.

⁷ Edward Scott died (p. 323), and was fucceeded by Ifham Randolph.

⁸ There were no burgeffes from Hanover for the firft feffion. (See pp. 256,265-6).

⁹ John Eaton died (p. 392). It does not appear who fucceeded him.

¹⁰ Cornelius Lyde died (p. 322), and was fucceeded by John Aylett.

¹¹ Thomas Price before the beginning of the 4th feffion accepted the office of clerk of the court of Middlefex (p. 439). This feffion lafted only feven days, however; fo that there was hardly time for the election of a fuceffor.

¹² Lemuel Riddick accepted the office of fheriff before the opening of the fecond feffion (p. 323). He was fucceeded, probably, by Mr. ——— Baker (340).

¹³ Mr. Doran's name does not appear on the contemporary lift of members for the firft feffion of this Affembly. He probably entered the Houfe late in the feffion. It is almoft certain that he fat for New Kent. (See p. 367.) He probably took the place of Mr. Wm. Chamberlayne (p. 245).

¹⁴ The name "Craford" alfo appears as "Crafford" and "Crawford."

¹⁵ Robert Green accepted the office of fheriff (p. 392). It is uncertain who fucceeded him.

¹⁶ Thomas Osborne was expelled (pp. 264-5). He was fucceeded by Peter Hedgman.

¹⁷ Mr. Curtis's place was taken in the third and fourth feffions by Mr. Henry Willis.

Surry:	Thomas Edmunds ¹⁸	York:	Edward Diggs
	John Ruffin ¹⁹		John Buckner
Warwick:	William Roicow	William and Mary	
	Thomas Haynes	College:	Sir John Randolph,
Westmoreland:	William Aylett		Speaker ²⁰
	Daniel McCarty	Norfolk Borough ²¹	John Hutchings
Williamfburg:	John Blair		

Mr William Chamberlayne had been elected a member of the House for New Kent, Mr William Gray (Grey) for Surry, and Mr Matthew Kenchin for Isle of Wight, but had died before the first meeting (245).

¹⁸ Thomas Edmunds died before the opening of the second session (p. 323). It is uncertain who succeeded him.

¹⁹ Mr. John Ruffin took the place of Mr. William Gray, who died before the opening of the first session of this Assembly (p. 245).

²⁰ Sir John Randolph died (p. 322), and was succeeded by Edward Barradall, Attorney-General.

²¹ Norfolk Borough was first represented at the second session of this Assembly.



Introductory Note.

THE volume in hand contains the Journals of the House of Burgesses for eight sessions,—all the sessions of the Assembly of 1727-34 and the Assembly of 1736-40. The text for the first two sessions was obtained from transcripts of the manuscript copies of these Journals in the Public Record Office, *London*; that of the remaining Journals, from the collection of printed Journals belonging to the heirs of the late M^{rs} C. W. Coleman, of *Williamsburg, Virginia*, who have kindly permitted the use of them. Since the Journals of the House of Burgesses began to be printed only in 1732, those for preceding years back to 1680* existing heretofore merely in manuscript, the present edition becomes, in its inverse chronological order of publication, a first edition for all Journals between 1680 and 1732; it is merely a reprint edition for the Journals from 1732 on to the Revolution. The volume in hand is therefore partly a first and partly a second edition—a first edition in so far as the Journals for the first two sessions are concerned and a reprint edition for the remainder of its contents. It has not been thought advisable, however, to indicate this change by altering the general appearance of the title pages, the only noticeable difference between the reprint and the first edition title pages being the substitution in the latter of "Richmond" for "Williamsburg" in the imprint. The text throughout aims to be as heretofore an exact reproduction of the originals. Where the edition becomes a first edition, no liberty has been taken by the Editor with the transcripts from *England*, as in these none were taken with the manuscripts in the Public Record Office. The spelling, punctuation, capitalization, paragraphing, etc. of the clerks of the House of Burgesses, who furnished copies of the Journals to the governor for transmission to *England*, have been followed accurately. Manifest mistakes made by the clerks have been followed as well as expressions in reference to which it would be difficult to decide whether they are or whether they are not errors; and for this reason, that if any liberty at all were allowed, it would be almost impossible to know where to draw the line in making corrections, and thus more serious errors might result. In the use of italics the aim has been to follow the style of the original printed volumes.

As an appendix to this volume is printed a petition of the *Quakers* to the General Assembly, dated Nov. 14, 1738, asking that they be relieved of the payment of parish levies. The paper is interesting, not only on account of its subject matter, but also because it is a very early example of the use of a printed petition. It is reprinted here from a copy bound in with the Journals of one volume of the *Coleman* collection.

*Portions of a few Journals antedating 1680 have been printed in Hening's "Statutes" and "The Virginia Magazine of History and Biography." The proceedings of the first Assembly (1619) were printed in the Collections of the New York Historical Society for 1857, as a Virginia Senate document in 1874, and in Tyler, ed., "Narratives of Early Virginia."

Unfortunately, not all the laws passed at these eight sessions are given in *Hening's* "Statutes at Large," *Hening* having been unable to secure copies of them. *Hening's* sources were the collection of printed laws of the Colony published in 1733 and several earlier manuscript copies of session laws. The former contained in full only the general laws in force at the time the collection was made; and the latter, being the few extant copies of the manuscript acts which before the days of printing in the Colony were sent at the close of each session of the Assembly to the various county courts, contained only the general laws and such of the local and private acts as might be of interest in the counties to which these special copies happened to have been originally sent. It thus results that of the twenty-two acts passed at the first session of the Assembly of 1727-1734, only eleven are found in *Hening*; of the twenty-nine passed at the second session, only nineteen; and of the thirty-five passed at the third, only twenty. It was at this third session of the Assembly that the printing of the Journals was begun. It was also agreed with *William Parks*, printer, that the public laws should be printed by him and a copy delivered to each member of the House, to each justice of the peace in the Colony, and a well bound copy to the Secretary's office and to each county court in the Colony.¹ The printing of the private acts was not called for in the agreement. All those not given in full by *Hening* for this session are private acts. One private act, however, namely, "An act to confirm and establish an agreement therein mentioned, made between *Thomas Bray*, Gent. and *John Randolph*, Esq. for the settlement of their respective rights to certain lands, whereof *David Bray*, the elder, gent. deceased, died seised; and for other purposes therein also mentioned," does appear in full. From this it seems that *William Parks* did slightly more than what he was compelled to do; for it is taken for granted that *Hening's* source for the laws of this session was one of these printed copies of acts for the session. Later it became the practice for the public printer to print the private acts as well as the public laws.² Hence for the last session of the Assembly of 1727-34 and for all four sessions of the Assembly of 1736-40 all the acts passed are given in full in *Hening*. And this is usually true of all sessions from this time to the Revolutionary War, except of the session held in *March* 1747, for which no laws are given in full—from this it is inferred that *Hening* failed to discover a copy of the session laws for that session, obtaining the titles from the Journal of the House of Burgesses or from the 1752 edition of the laws—and of the long session of 1748-9, at which a general revival of the laws was made and at the same time the usual number of private acts were passed. Many of the laws omitted by *Hening* are to be found in the Public Record Office, *London*, and it is hoped that in the not very distant future these may be collected and published in a volume supplementary to *Hening's* monumental collection.

An interesting fact may be noted in reference to the *Coleman* copy of the printed Journals used as the source of the reprints in this volume. The *Coleman* book is made up of the Journals of the House of Burgesses for the sessions from 1732 through 1744. Its binder's title is not "Journals of the House of Burgesses" but merely "Votes 1732 to 1744," which shows that the volume must have been bound not very long after the close of the session whose Journal is the last appearing in it, for the use of the term "votes" in the sense of a journal of a legislative body—the word usually applying to one, though that be the most important one, of the acts of the body being taken to cover the entire proceedings—seems not to have continued very long after this date. In the Journals of the House contained in the present volume it is used in this sense at least once.

¹ See pp. 141, 142.

² *Hening*, IV, 370-376.

³ He was required to do this for the fourth session of this Assembly, by order of the House (p. 232), and for the first session of the Assembly of 1736-1740, also by order of the House (p. 314). By this time the practice seems to have become fixed.

Preface

Historical Setting.

DURING the period covered by the Journals of the House of Burgesses printed in this volume (1727-1740), *George II* was on the throne of *England*. The real ruler, however—but the word is not to be taken in any autocratic sense—was Sir *Robert Walpole*, First Lord of the Treasury and Chancellor of the Exchequer, as applied to whom tauntingly by his enemies came into use the now familiar designation “prime minister.” *Walpole*’s chief aim in government was the preservation of peace both abroad and at home, so that the prosperity of the country might abound, bringing with it a quiet acquiescence on the part of all in the reign of the House of *Hanover*. And in the main he succeeded; so that though the annals of the times are not filled with stirring events, the value to the *English* nation of the economic and constitutional progress made is immeasurable. It is true that in 1727, at the beginning of this period, *England* was at war with *Spain*, but the war was one in which not much blood was shed and which was soon over; it is also true that in 1740, at the close of the period, *England* was again at war with *Spain*, but between the close of the first war and the breaking out of the second ten years had elapsed, a long time for the passions of the *English* people, inflamed by *Walpole*’s political enemies, to be kept in check.

The cause of the first war was the determination on the part of *Spain* to regain the possessions lost by her by the treaty of *Utrecht*. In the pursuance of this determination she made an alliance with the Emperor *Charles the Sixth*, whereby, in return for her support of the Pragmatic Sanction, providing that the hereditary dominions of the emperor should go to his daughter, *Maria Theresa*, a promise of aid was given in recovering the *Spanish* possessions, especially *Gibraltar* and *Minorca* from *England*. In 1727 the *Spaniards* laid siege to *Gibraltar*, but accomplished nothing, the emperor having been led by *Walpole*’s diplomacy to remain inactive; and in 1729 was signed the treaty of *Seville* bringing the war to a close. Though *Gibraltar* and *Minorca* were left in the hands of the *English*, the treaty was an unsatisfactory one, since its commercial clauses led to smuggling on the part of the *English* and repression on the part of the *Spaniards*. A renewal of the war was inevitable,* and the length of time that the renewal was postponed is a tribute to the skill of the prime minister. It was only after ten years that Sir *Robert Walpole* was obliged by the demands of the *English* people to begin hostilities. Even before the declaration of war, which was made on October 19, 1739, Admiral *Vernon*, who as a member of Parliament had done his best to bring about the war, and who had spoken much of the weakness of the *Spanish* colonies, was ordered to capture *Porto Bello*, the port from which sailed the hated guarda-costas. Since the enemy was unprepared, this he did with little trouble. But the further prosecution of the war was unfortunate, Admiral *Vernon*’s advice that it be confined to naval operations being rejected and a combined military and naval attack on *Carthage* having been decided upon. This failed dismally, owing in the main to the inexperience and incompetence of Brigadier General *Wentworth*, in command of the land forces, whose dilatoriness allowed the expedition to be overtaken by the rainy and sickly season, during which the troops died by the hundreds. On the 17th of April, 1741, those that remained were taken to *Port Royal*. The expedition against *Santiago* also proved abortive.

Since this war was carried on at the very doors of the *American* colonies, and to a certain extent in their interest, it was but natural that they should be called upon by the home government to furnish their quotas of the troops. This they did with greater or less alacrity, the colonial contingent being under the command, first of Governor *Spotwood*, and then, on his death before the troops sailed for the *West Indies*, of Governor *Gooch*, of *Virginia*.

In the time of peace between the close of the first and the beginning of the second war—a peace which *Walpole* preserved so far as *England* was concerned though on the continent of *Europe* the war of the *Polish* Succession was going on for a year or two and the Family Compact (bringing *France* and *Spain* into alliance against *Austria* and *England*) had been signed—the most noteworthy domestic occurrence was the struggle over the Excise Bill which took place in 1733. The scheme embodied in the Excise Bill was, in bare outline, to require that all tobacco brought into England should come in duty free but should be stored in public warehouses, and when taken from these for home consumption taxed at a fair rate, no tax whatever, however, being imposed on it when exported. The scheme was an eminently wise one from almost every point of view: smuggling would have been diminished, the revenues increased, honest traders encouraged, the troublesome question of rebates done away with, and the colonial producers of tobacco (being able either in person or through agents to examine the books kept at the warehouses) would not have been so often defrauded by dishonest merchants. The people of *Virginia* were heartily in favor of the bill. Some time before the measure was introduced, the General Assembly sent an agent to *England* to ask that an act of this nature be passed; and his assistance must have been highly valued by the ministry, for before his return to *Virginia* he had been knighted by the king. Notwithstanding its many advantages, however, the bill was so violently opposed that *Walpole*, true to his policy of preserving the peace, withdrew it. Unfortunately, the word naming the tax on the article when taken out of the warehouses was the word “excise,” a word at that time sufficiently unpopular to kill the measure.

Assembly of 1727-1734.

First Session.

THE first session of this Assembly met in *Williamsburg* on *February 1, 1727* (old style), and was prorogued on *March 30, 1728*. The membership of the House consisted of fifty-eight, two members each from twenty-eight counties and one each from *Jamestown* (or *James City* as it was at that time more usually called) and *Williamsburg*; and there were present on the day of opening forty-six, to whom the various oaths appointed were administered by four members of the Council deputed for for this duty by the governor.⁴ The standing committees with which the business of the session was begun were the committee of privileges and elections, committee of public claims, and the committee of propositions and grievances. Later on, however, a committee for courts of justice was appointed to inquire into the reasons for delays in the courts of justice and to bring in a bill designed to remedy them. The committee was found so useful that in future sessions it was continued as one of the usual standing committees of the House. The principal bill reported by this committee was the one which on its passage was entitled "An act for preventing delays in courts of justice; for expediting and better settling the proceedings in the General Court; and for the more speedy and easy recovery of small debts; and for repealing an act for obliging attorneys, prosecuting suits in behalf of persons out of the country, to give security for paying all costs and damages; and declaring in what manner such security shall be hereafter given,"⁵ and was an exceptionally able measure, a fact recognized by the House, as was also the fact that it was the work in the main of *John Clayton*, the attorney-general, chairman of the committee, in the passage by the House of a resolution—later agreed to by the Council—that the chairman be given twenty pounds for his unusual services. In order that trial might be made of the law, it was provided that it should be in force for only four years. So well did it stand the test, however, that at the *May 1732* session of this Assembly it was enacted, "That the beforementioned act [that is, the act whose title is given above], and every clause, matter, and thing therein contained, shall stand and remain in full force, and be perpetual."⁶

The committee of propositions and grievances, having assigned to it the duty of examining the Journals of the preceding sessions of the House in order to find out what matters had been left undetermined and what temporary laws had expired since the last meeting, in addition to the more usual duties to be expected from a committee bearing its name, was the busiest committee of the session, though the committee of privileges and elections, with a much smaller membership, was, owing to the number and importance of the contested election cases brought to its attention, not far behind.

An interesting election case was that of *Mr John Holloway*, speaker of the House and treasurer of the Colony. *Mr Holloway* had been elected a member for *York* county and also for *Williamsburg*, a result very unusual but one which the law itself did not render impossible, for the reason that, as in *England*, it was not necessary that the member of the House be a resident of the county or town he represented. In such a case the member had, of course, to choose which constituency he preferred to sit for, and then it was necessary to order a new election by the other. *Mr Edward Tabb*, seeing in the situation a chance, probably, for his own election to the House from *York* if *Mr Holloway* could be induced to choose to sit for *Williamsburg*, gave out that he intended to question the election and return of *Mr Holloway* from *York*, but could not be induced by the committee of privileges and elections, though invited to do so, to prefer his charges, saying that he would wait till *Mr Holloway* had made his choice. His hope was evidently

⁴ See p. 3.

⁵ Hening, IV, 182.

⁶ Hening, IV, 323.

that in order to avoid trouble Mr *Holloway* would decide to sit for *Williamsburg*. His hope was, however, frustrated by the House on the eighth day of the session, when it resolved toward the close of the proceedings that no petition should be received from Mr *Tabb* looking toward the opening of the question after the rising of the House on that day. It was also ordered that Mr *Holloway* make his choice the following day. No petition was handed in by Mr *Tabb*, since he had no time to do this even had he really desired; and, being thus relieved of all possible embarrassment, Mr *Holloway* the next day chose to sit for *York*.⁷

The judicial functions occasionally exercised by the House are well exemplified at this session in the case of *James Wallace* and *Jacob Walker*⁸ and that of *Thomas Barnes*, *Matthew Bean*, and *Joseph Sanford*.⁹ *Wallace* and *Walker* were justices of the peace for the county of *Elizabeth City*, and had refused to certify a petition to the General Assembly, which, according to law, it was their duty to do. Brought before the bar of the House, they explained that they knew the matter of the petition to be false and that, furthermore, the signatures, with a few exceptions, were not genuine. Nevertheless, they were reprimanded by the House and compelled to pay costs. *Thomas Barnes*, *Matthew Bean*, and *Joseph Sanford* were charged with fraudulently procuring in the interests of the gentleman first mentioned, the contestant, signatures to a petition complaining of the election of Mr *Thomas Lee* and Mr *George Eskridge* to represent *Westmoreland* county in the House. They were ordered before the bar of the House and reprimanded.

Another case illustrating a class of cases, not infrequent, in which judicial powers were exercised—those in which the privileges of members of the House were involved—was that of *Edward West*, against whom the complaint was made by Mr *Andrews*, a member of the House, that *West* had "grossly abused and affronted" him "in breach of the privilege of the House." He was haled before the bar of the House by the sergeant at arms, reprimanded by the speaker, and compelled on his knees to ask the pardon of Mr *Andrews*.¹⁰

Most of the bills introduced originated in the House. Four, however, and these among the most important, had their origin in the Council. They were all finally passed by both houses. They were: 1. "An act for the better support of the clergy of this dominion; and for the more regular collecting and paying the parish levies,"¹¹ the object of which was to explain the ambiguities in existing laws and to improve them by additions relative to the paying of parish levies; 2. "An act for making more effectual provision against invasions and insurrections,"¹² giving the governor power to raise from the militia in times of danger such forces as might be necessary to cope with it, and fixing the pay to be received by the officers and men when called out for any length of time; 3. "An act for the better regulating and ascertaining the current rates of silver coin within this dominion; and for preventing the evil practice of cutting foreign gold into pieces,"¹³ by which such a valuation was put on the various silver coins which had come into the Colony from *Europe* and *Spanish America* as would prevent them from leaving *Virginia* for places in which they were more highly valued, so useful were they as small change; 4.¹⁴ "An act for prohibiting the exportation of grain in time of scarcity," whereby the governor was empowered, with the advice and consent of the Council, to lay embargoes when deemed necessary.

An examination of these acts does not reveal any peculiarities of subject-matter seeming to render it more appropriate that they should have originated in one house rather than in the other. It would appear, therefore, that at this period of the history of the General Assembly any bill, except a money bill, might originate indifferently in

⁷ See pp. 13, 14.

⁸ See p. 17.

⁹ See pp. 31, 32.

¹⁰ See p. 20.

¹¹ Hening, IV, 204-208.

¹² Hening, IV, 197-204.

¹³ Hening, IV, 218-220.

¹⁴ Hening, IV, 221-222.

either house, and that its origination was rather a matter of convenience than of constitutional law or custom. No bill originated in the Council either at the second or the third session of this Assembly, but at the fourth session two of the bills which finally became laws were Council measures. The first of these had the title when it left the Council "An act for the more easy trial of criminals before justices of oyer and terminer."¹⁵ When it became a law, it had the title "An act for better regulating the trial of criminals, for capital offenses."¹⁶ The second was "An act for amending the act, entitled, an act for settling the titles and bounds of lands; and for preventing unlawful shooting and ranging thereupon."¹⁷ It had to do in the main with provisions for conveying land and recording all sales, mortgages, marriage settlements, deeds of trust, etc., and was a law of such importance that, acting on instruction from the House, the speaker, when on the last day of the session he presented this bill to the governor for his signature, requested him to use his best endeavors to obtain the king's assent to it, so that purchasers of land might feel that their titles were secure.¹⁸ The only act passed at the first session of the Assembly of 1736-1740 originating in the Council was the "Act for the greater ease and encouragement of sheriffs,"¹⁹ the principal object of which was the relief of sheriffs from suits on the escape of prisoners from jails unless negligence on the part of the sheriffs could be clearly proved. At the next session also only one law originated in the Council, and this a law not of first rate importance, bearing the title "An act, for the better preservation of the breed of deer; and preventing unlawful hunting."²⁰ The Council, however, exercised to the full always its privilege of offering amendments.

The relations between the two branches of the General Assembly at this session were in the main friendly, only one episode occurring which had a tendency to develop discord. On *March* 20, just ten days before the close of the session, a bill "For the better regulating the payment of the Burgesses' wages," which had been introduced some days before, was defeated. On the 25th, however, a bill "For lessening the levy by the poll by paying the salary of Burgesses in money" was introduced, read the first time, and later in the day the second time. The next day it was read the third time, passed by the House, and sent to the Council for their concurrence. But this the Council refused. Whereupon a motion was made in the House that the House should refuse to present to the governor for his signature the "Act for laying a duty upon slaves" which had already been passed by both chambers, and in which, it may be presumed the members of the Council, wealthy men and large slave holders, were especially interested, since the effect of the act would be inevitably to enhance the value of their property. It was ordered that the said resolution should be considered the following day. The Journals, however, have no further reference to the matter. The necessary work incident to the closing hours of the session—the resolution was passed on the 28th of *March* and the session ended on the 30th—probably prevented the discussion of a step which all must have recognized to be highly revolutionary. As for the bill "For the better regulating the payment of the Burgesses' wages," it, or the substance of it, was introduced again at the next session of the Assembly and became law.

This was the first meeting of an Assembly held since *William Gooch* became the lieutenant governor of the Colony, and his opening and closing speeches are good examples of the speeches which during his incumbency of office, for twenty-two years, he was accustomed to make to his General Assemblies—not especially happy in wording, but exhibiting at every point the characteristics for which their author was noted, and which won for him the high respect of those whom he had been sent to govern, namely, courtesy, business ability, religious feeling, and, above all, loyalty to the king. The governor explained that the Assembly had been called to meet at this unusual season of the year in order that the people of the Colony might be able to regulate the planting of their

¹⁵ See p. 198.

¹⁶ Hening, IV, 403-405.

¹⁷ Hening, IV, 397-402.

¹⁸ See p. 233.

¹⁹ Hening, IV, 487-492.

²⁰ Hening, V, 60-63.

tobacco in accordance with the law on the subject which it was supposed would be passed, the law then in effect continuing according to its own provisions only till the close of this session. The other matters recommended for the special consideration of the Assembly were the repairing the battery at *Point Comfort*, the erection of a light-house on *Cape Henry*, and the discovery of means for the prevention of delays in the courts of justice. The action of the House in reference to the prevention of delays in the courts of justice has been given above. The recommendation of the governor as to the light-house at *Cape Henry* resulted in the prompt passage of an act designed to effect that result,²¹ with, however, a clause suspending the execution of the act till the Assembly of *Maryland* should agree to bear part of the expense of building and maintenance and until the king should signify his assent. The law on the subject of tobacco then in effect was continued with a few alterations and amendments.²² The outcome of the governor's recommendation in reference to the battery was a resolution of the House²³ to the effect that the battery ought by all means to be repaired and maintained, but that the expense ought to be borne out of the revenue of two shillings per hoghead on tobacco exported, fifteen pence per ton on shipping, and six pence per poll on all persons imported, these taxes having been imposed for just such purposes. The House, though it respected the Governor highly, and evinced this respect by voting him a present of five hundred pounds,²⁴ was unalterably opposed to taxing the people for purposes already provided for.²⁵

An important piece of business transacted by the Assembly at this session was the appointment of an agent to represent the Colony in *England* in an effort to secure the repeal of an *English* law recently passed prohibiting the "importation of tobacco stripped from the stalks."²⁶ The two houses joined in drawing up an address to the king and a petition to Parliament setting forth their objections to the law, and appointed Mr *John Randolph*, clerk of the House of Burgesses, special agent to present the two and to secure the result which was their aim. The determination of the General Assembly to send over a special agent from *Virginia* to attend to this piece of business was no doubt reached on account of the dissatisfaction with the results obtained by the *English* agent recently employed in a case somewhat similar. There had been passed at the preceding session of the Assembly an act to lay a duty on liquors, and a Mr *Leheup* had been retained to secure the king's assent. Though he was successful in his object, his fee was considered so exorbitant that the House refused to allow it.²⁷

Of the public acts passed at this session two contained the suspending clause, that is, it was provided in each case that the act was not to become law till sanctioned by the king. These were "An act for laying a duty on slaves imported, and for appointing a treasurer" and "An act for erecting a light-house on *Cape Henry*," the act already referred to above. Neither was assented to by the king, since the wishes of the *English* merchants and ship owners prevailed. The act to erect a light-house at *Cape Henry* was also opposed by Lord *Baltimore*.²⁸

This session is further noteworthy for an order given by the House on *February 22* that an agreement be made with *William Parks*, printer, for the publication of a complete collection of the public laws of the Colony then in force. The committee appointed to supervise the work consisted of Mr *John Holloway*, then speaker of the House, Mr *John Clayton*, attorney-general, and Mr *Archibald Blair* (these three being members of the

²¹ See p. 50.

²² See p. 50.

²³ See p. 26.

²⁴ See p. 28.

²⁵ The law relied on by the House in support of its position was the one of 1680 entitled "An act for raising a publique revenue for the better support of the government of this his majesties colony" brought over from England by Lord Culpeper already framed for passage, and passed accordingly. It was one of the fundamental laws of the Colony, remaining in force throughout the colonial period. (See Hening, II, 466-469.)

²⁶ See Statutes at Large (Great Britain; edited by Jno. Raithby), IV, 640.

²⁷ See p. 45.

²⁸ See Sainsbury Abstracts of Documents in the Public Record Office, London, Vol. IX, p. 386 ff. The Sainsbury Abstracts are in manuscript in the Virginia State Library.

Houfe), M^r *John Randolph*, clerk of the Houfe (fubfequently Sir *John Randolph*, fpeaker of the Houfe), and M^r *William Robertfon*, clerk of the Council—the moft competent men then living in *Virginia* to whom to entruft it. The work was pufhed through to a fuccesful conclufion,²⁹ the volume appearing in 1733. The following is its title page:

“A Collection of all the Afts of Affembly now in Force in the Colony of *Virginia* with the titles of fuch as are expir’d or repeal’d And Notes in the margin fhewing how and at what time they were Repeal’d. Examined with the Records. By a Committee appointed for that Purpofe. Who have added many ufeul Marginal Notes and References. And an Exa^ct Table. Publifh’d, purfuant to an Order of the Genl. Affembly held at *Williamsburg* in the year MDCCXXVII. *Williamsburg*. Printed by *Wm. Parks* MDCCXXXIII”

This was the third printed collection of *Virginia* laws, the firft having been printed in *London* in the year 1662 or 1663 and containing the revifal of 1661-1662, and the fecond having been printed in *London* between the years 1684 and 1687.

Second Seffion.

The fecond feffion of this Affembly continued from *May 21* through *July 9*, 1730. The membership of the Houfe fhewed an increafe of five over what it had been the preceding feffion, *Caroline* and *Goochland* counties, erected by the Affembly at their former meeting, fending representatives, and a member fitting for *William & Mary* College, which now, the affairs of the inftitution having been placed by the truftees in the hands of the prefident and mafters, had by charter the right to representation.

The governor was able in his opening addrefs to announce that, peace having been made between *Great Britain* and *Spain*, the time was propitious for ena^cting wife laws regulating the trade of the Colony. Since the trade in tobacco, the great ftaple, had fallen into a miferable condition, he fubmitted for its regulation in every detail a plan which had already been approved by the Board of Trade in *England*, and which needed only fuch improvement as the wifdom and experience of the members of the General Affembly might fuggeft. He laid before the Affembly two inftructions: one concerning “the honour of Almighty God not yet by law fufficiently fecured” and the other concerning bankrupts in *England* having eftates in *Virginia*.³⁰ He advifed that there be re-enacted fuch of the features of a law paffed in 1705 for limiting fuits on judgments and obligations as were not repugnant to the *Engli/h* ftatutes, the law itfelf having been lately repealed by proclamation;³¹ and that laws be paffed adequate to the punifhment of thofe guilty of burning tobacco houfes and of fimilar crimes. The recommendation was made that *John Randolph*, who had fucceeded in his miffion to *England*, be adequately rewarded for his fervices.

All the matters referred to by the governor were confidered by the Houfe, and a^cts paffed in reference to them, with the exception of the queftion of bankrupts in *England* who had eftates in *Virginia* and the eftablifhment of a fchool fyftem, the latter being one of the means, fet forth in the inftruction referred to in the governor’s fpeech, for fecuring “the honour of Almighty God.” In reference to thefe it was ordered that their confideration be poftponed till the next feffion of the Affembly.³² As one means, however, of advancing the object fought in the inftruction the law was paffed bearing the title “An a^ct for enforcing the a^ct, intituled, An a^ct for the effectual fuppreffion of vice; and reftRAINT and punifhment of blaphemous, wicked, and diffolute perfons; and for preventing inceftuous marriages and copulations.”³³

The other laws paffed in an endeavor to carry out the recommendations of the governor were the following: 1. “An a^ct for afcertaining the damage upon protefted

²⁹ See p. 225.

³⁰ Sainbury, IX, 313, 324, 393 ff. The bifhop of London, whofe diocefe included the American colonies, had interefted himfelf in getting the Board of Trade to fend the firft inftruction; the Britifh merchants were, of courfe, behind the fecond.

³¹ Sainbury, IX, 426 ff.

³² See p. 63.

³³ Hening, IV, 244-246.

bills of exchange: And for the better recovery of debts due on promissory notes: And for the assignment of bonds, obligations, and notes,"³⁴ to take the place of "An act declaring how long judgments, bonds, obligations, and accounts, shall be in force, for the assignment of bonds and obligations, directing what proof shall be sufficient in such cases; and ascertaining the damage upon protested bills of exchange,"³⁵ which were repealed, the principal difference between the two being that greater certainty in the prosecution of those guilty of drawing fraudulent bills of exchange was effected by the former, and no limitations of time in which suits might be brought on bills, bonds, etc., were set, thus leaving operative the *English* statutes on the subject; 2. "An act to prevent the malicious burning tobacco houses, and other houses and places: For taking away clergy from certain offenders: And for punishing accessories to felonies, and receivers of stolen goods,"³⁶ one of the main features of which was the taking away the privilege of pleading the benefit of clergy from those accused, thus removing the means used by offenders before this of escaping the extreme penalties inflicted by the laws; 3. "An act for amending the staple of tobacco; and for preventing frauds in his Majesty's customs,"³⁷ the most important law by far passed at this session, being the reduction into proper form (after prolonged study by a special committee of which the attorney-general, probably the ablest member of the House, was chairman, and by the House itself in numerous sessions of the committee of the whole) of the scheme proposed by the governor for regulating the trade in tobacco, as the cultivation of tobacco had been regulated by the act passed at this session having the title "An act for repealing the act for the better and more effectual improving the staple of tobacco: And for the better execution of the laws now in force against tending seconds: And for the further prevention thereof,"³⁸ the two acts together providing for almost every conceivable transaction in the great staple of the Colony.

The recommendation of the governor that Mr *Randolph* be paid a sum commensurate with his services was enthusiastically adopted by the House, which voted, *nemine contradicente*, that one thousand pounds be given him.³⁹ It was further ordered that Mr *Randolph's* report of his transactions in *England* should be printed.

A very important question demanding the attention of the House at this session was that of the right of a member to hold office as a sheriff. It came up for consideration owing to the fact that since the close of the preceding session several members of the House had accepted appointments and were then holding office. A special committee appointed to search the Journals for precedents, reported two cases showing that in the past service in the two positions had not been permitted,⁴⁰ and an act was passed without difficulty prohibiting any sheriff from sitting as a member of the House, and exempting members from appointment as sheriffs. The act also provided that the acceptance by a burgess of a position of profit under the government rendered the election void. The burgess might, however, be reelected by his constituents.⁴¹ In all this, of course, *English* precedent was closely followed.

A very interesting act passed, as showing the tendency of the General Assembly toward a certain measure of toleration, is the "Act to exempt certain *German* Protestants, in the county of *Stafford*, from the payment of parish levies."⁴² Only the title of this act is given in *Hening*. The Journals, however, give the substance of the petition of the *Germans*, out of which grew the law, which was to the effect that they should be relieved of parish levies since they maintained a minister of their own nation.⁴³ This measure of toleration was not later extended to other dissenters for many years—in fact, not till the Revolutionary War.

³⁴ *Hening*, IV, 273-275.

³⁵ *Hening*, III, 377-381.

³⁶ *Hening*, IV, 271-273.

³⁷ *Hening*, IV, 247-271.

³⁸ *Hening*, IV, 241-244.

³⁹ See p. 63.

⁴⁰ See p. 62.

⁴¹ *Hening*, IV, 292-293.

⁴² *Hening*, IV, 306.

⁴³ See p. 63.

The judicial power of the House, as well as its sensitiveness to criticism, is shown by the case of *John Mercer* and *Peter Hedgman*, the former the author, and the latter one of the signers, of a proposition certified by the court of *Stafford* county and presented to the Assembly in reference to an act passed at the preceding session of Assembly for encouraging adventurers in iron-works. The paper was declared to be a "scandalous and seditious libel, containing false and scandalous reflections upon the Legislature and the justice of the General Court and other courts of this Colony,"⁴⁴ and it was resolved that the two gentlemen named were guilty of a misdemeanor, for which they should answer at the bar of the House. In course of time petitions were received from both expressive of their sorrow at having incurred the displeasure of the House, whereupon they were brought before the bar of the House, reprimanded by the speaker, and discharged, paying fees. The paper, however, with others on the same subject, had its effect, for the "Act for encouraging adventurers in iron-works" passed at the preceding session, was amended in the features objected to, especially in that the cost of making roads to the iron-works from the shipping points and from the places of supply of the ore was taken from the shoulders of the public.⁴⁵

The following case, also, shows the determination of the Burgesses to look after their dignity. A resolution was adopted by the House that the wages of the members should for that session be paid in money in the hands of the treasurer, the proceeds of the tax on liquors imported. It was agreed to by the Council, only one member, Mr *Richard Fitzwilliam*, dissenting, whose reasons for his action were spread on the Journal of the Council. When the House heard of this, it was ordered that a message be sent the Council desiring them to give the House a copy. This was done. A committee was appointed to consider the matter. The committee made a full report,⁴⁶ giving in order Mr *Fitzwilliam's* reasons for his dissent and the answering arguments in each case, and at the close their recommendations. Two statements made by Mr *Fitzwilliam* seemed to the committee to transcend the sphere of legitimate criticism, namely, that some of the members of the House of Burgesses, knowing that the resolution to be effective would have to be agreed to by the Council, would for this reason be more subservient to the wishes of the Council in other matters than independent legislators should be, and that it was "most unreasonable that a very few people trading to the *West Indies* should be burthened with so heavy a duty on their liquors with a view only to have the greatest share of it distributed among the Burgesses." The committee characterized these charges as false, scandalous, and malicious, and gave it as their opinion that the views set forth by Mr *Fitzwilliam* could have been entered on the Journal of the Council only with the purpose of bringing the House into disgrace with the king. This much of the report was adopted by the House. But the rest of it, recommending that a representation be made to the king in Council against *Fitzwilliam*, failed by a vote of 28 to 29. Since the Journals of the House of Burgesses would go to the Board of Trade—if necessary, to the king in Council—just as the Journals of the Council would go, the full report of the committee of the House in the matter would come under the official eye of the authorities in *England* to offset the views expressed by Mr *Fitzwilliam*. Hence all that was really necessary in the premises was accomplished.

In this case the good relations existing between the House and the majority of the members of the Council were not disturbed. It was only against Mr *Fitzwilliam* that the anger of the House was aroused.⁴⁷ And the incident had this good effect, that it led to the passage at this session of a law clearly setting forth the circumstances in which it would be allowable in the future for payment of the burgesses' salaries to be made in money from the central treasury. This law has the title "An act for the better reg-

⁴⁴ See p. 66.

⁴⁵ Hening, IV, 296-300.

⁴⁶ See pp. 97-99.

⁴⁷ Mr. Fitzwilliam was surveyor-general of the customs of Virginia, Carolina, and Jamaica, and by virtue of his office a member of the Council. The other members of the Council opposed his having a seat in that body, and the question was carried up to the king in Council, by whom it was settled in favor of Mr. Fitzwilliam. (See Sainbury, IX, 424, 436, 438, 458.) The Burgesses did not fail to complain to the home authorities of Mr. Fitzwilliam's conduct. (Sainbury, IX, 494, 513.)

ulation and payment of the burgeesses' wages,"⁴⁸ and it contained a provision designed to remedy absenteeism on the part of members—recently become much too common—which was, that pay should be withheld for absence in every case unless occasioned by sickness.

The due regard shown by the Council for the privileges of the House is well illustrated in the manner in which an important clause in the "Act for amending the staple of tobacco" came to be inserted. When the bill left the House, it contained no provision for the purchase of scales and weights for the several warehouses. Instead of at once amending the bill by putting in a clause directing that such weights and scales be bought and setting forth how they should be paid for, the Council asked for a conference with the House, in order to find out whether the latter body concurred in the opinion of the Council that they should be paid for from the public money in the hands of the treasurer, and whether it was also the opinion of the House that the expense of carrying the act into execution, if greater than the revenue appropriated, should be met in the same way. The object of the Council in proceeding in this manner was "to keep up a good correspondence" with the House "and to avoid disputes concerning the privileges" of the House. The committee appointed to conduct the conference on the part of the House having reported, the House agreed to allow the Council to add to the bill a clause or clauses for the purposes set forth.⁴⁹

A very valuable part of the Journal for this session is that made up of the petition of the House to the king on the subject of the grants made by *Charles the First* and *James the Second* of the territory in *Virginia* known as the *Northern Neck*. In this paper is set forth at length the history of the several grants, the provisions of each, and causes of the dissatisfaction of the inhabitants of that section of *Virginia* with resulting conditions. Rendered now by publication generally available, it will be an important source of information on the whole subject.⁵⁰ The petition was the result of representations made to the House by dwellers in the *Northern Neck* of the hardships experienced by them in consequence of the grant whose provisions were then operative. Especially alarming to the inhabitants was the fact that Lord *Fairfax*, the proprietor at that time, had come into possession under a settlement disabling him, according to his contentions, from granting any of the lands in fee simple, and that he had called into question the validity of the acts both of his own agents and of agents of former proprietors granting fee simple titles.

Third Session

The third session of the Assembly began *May 18* and ended *July 1, 1732*. Since *Prince William* county had been established at the second session of the Assembly, and *Brunswick* (formed by law passed in 1720) was now for the first time represented, the membership of the House was 67. The principal business of the session was the passage of amendments and additions to the great tobacco law which had been enacted at the preceding session of the Assembly. The paramount importance of this law among the laws of the Colony may easily be inferred from what was said by Governor *Gooch* in his speech at the opening of the session, who gave some account of the opposition met with by the act in *England* and of the opposition it was then meeting from certain classes in *Virginia*. It was the special work of the Assembly at this session to so amend the law as to render it effective in its inspection features and at the same time remove the undoubted hardships imposed in many cases. A great deal was accomplished at this session, but enough of the problem was left unresolved to require much of the time of the General Assemblies meeting up to the Revolutionary War, and even of those of later date.

But it was not to the unaided efforts of the legislative body of *Virginia* that the members of the House looked for entire amelioration of the condition of the tobacco trade. It was recognized that help had to be sought from the *English* government itself. Hence the motion was made in the House "That the House would take some measures,

⁴⁸ Hening, IV, 278-280.

⁴⁹ See p. 100.

⁵⁰ See pp. 92-96.

to represent to the Parliament of *Great Britain*, the miserable state of the tobacco trade; and to induce them to establish some better methods of securing and collecting the duties upon tobacco, for preventing the notorious frauds which have long subsisted, and occasion the intolerable hardships that trade at present labours under." It was resolved "That a petition be made, to the honourable the knights, citizens, and burgessees, of the Parliament of *Great Britain*, to put tobacco under an excise."⁵¹ This resulted, after the whole situation had been thoroughly discussed both in the House and in the Council, in the preparation, not only of a petition to Parliament, but also of an address to the king and a letter to the lords of the treasury, and the appointment of Mr *John Randolph*, who had so successfully carried through the former mission, as agent for the conduct of the present business, to whom was to be paid the large sum of two thousand two hundred pounds.⁵²

In his opening speech the governor made the important announcement that the king, on the petition of the *British* merchants, had repealed the act passed at the last session for continuing the duty on liquors and had sent an instruction prohibiting the laying of any duty on slaves, to be paid by the importer. However, the governor turned over to the House a letter he had received from one of the secretaries of the Board of Trade, which contained hints as to how bills might be drawn on these two important subjects that would be allowed by the king to become laws, and one of the acts passed at this session was "An Act for laying a duty on liquors" and another was "An act for laying a duty on slaves, to be paid by the buyers," both of which went into operation.⁵³ The difference between the act passed in 1730 for laying a duty on liquors, which had been disallowed by the king, and the one passed at this session was that whereas the former act contained a proviso that liquors imported in vessels belonging to *Virginia* owners should pay only half the usual duties, this was omitted from the act passed at the present session. The complaint of the *British* merchants of the act of 1730 was solely directed against this clause.⁵⁴ The difference between the two acts for laying a duty on slaves was merely that the act passed in 1727 called for the payment of the duty by the importer, whereas the act passed at the present session laid the burden on the buyer—a burden which would have been shifted to his shoulders, of course, if the act of 1727 had been allowed to stand.⁵⁵

The relations between the two chambers of the General Assembly at this session and between the House and the governor remained as amicable as they had been at the former session, though differences of opinion arose, especially as to the proper fund (whether the fund arising from the permanent tax of two shillings per hoghead on tobacco exported, of one shilling and three pence per ton on vessels coming to *Virginia* from abroad, and six pence per poll on persons brought into the Colony, or that arising from the rather precarious taxes on liquors and slaves) from which should be paid various expenses. The former fund was, according to the preamble of the act providing for it, "for the maintenance of the governor and several other officers and persons as alfoe for the fort and fortifications, besides many other contingent expenses,"⁵⁶ was kept by the receiver general and under the control of the governor and Council; the latter fund was kept by the treasurer, its object was the payment of such expenses as would otherwise have to be paid from a fund made up of collections from poll taxes, and was under the control of the entire Assembly, the House more particularly, since in the House originated money bills. The differences of opinion arising at this session between the two houses and between the House of Burgessees and the governor as to the application of the two funds were similar to those arising ever since their origin, the first in 1680 and the second in 1684, and continuing to the Revolutionary War. The object of the House was always to throw as many expenditures as possible on the former fund and of the Council and the governor to throw them on the latter. The specific question causing the difference at

⁵¹ See p. 152.

⁵² See pp. 152, 159, 160, 161, 167.

⁵³ Hening, IV, 310-322.

⁵⁴ Sainsbury, I, 116.

⁵⁵ Hening, IV, 182, 317-322.

⁵⁶ Hening, II, 466.

this session between the House and the governor was whether the payment of certain guards employed to protect several of the tobacco warehouses from being destroyed—such was the feeling in some parts of the Colony in opposition to the law—should be paid out of money in the hands of the receiver general or from money in the hands of the treasurer. The House maintained that the expense was one of the contingent expenses of government, and the governor that it was one incident to the execution of the tobacco law and therefore payable, according to a provision in the law itself, out of the money in the hands of the treasurer.⁵⁷ The question causing the difference of opinion between the House and the Council was whether the fees of the attorney general and of the clerk of the General Court arising from the prosecution of criminals should be paid from the revenue arising from the tax on liquors. In each case the House carried its point, especially since it was pointed out that the revenue in the hands of the treasurer was exhausted, and that great sums had been voted to be paid from the amount hoped to be raised by the two revenue acts passed at this session.⁵⁸

Fourth Session.

The fourth and last session of this Assembly began *August 22* and ended *Oct. 4, 1734*. It was the longest session of a General Assembly held up to that time since the Assembly was instituted, and the work done was of very great importance. The first entry in the Journal is to the effect that Sir *John Randolph* had resigned his position of clerk of the House of Burgesses and that *Benjamin Needler*, by virtue of a commission from the lieutenant governor, had succeeded him. Though *Randolph* had not succeeded in his mission to *England*, the opposition to an excise law on the part of the *English* people being at that time too great to be overcome, he had conducted himself in such a way as to win the approval of the *English* ministers, by whom he was recommended to the king for knighthood.⁵⁹ Returning to *Virginia*, he saw before the opening of this session a good opportunity for further advancement in the public service, for Mr *John Holloway*, the speaker of the House, was about to retire, and there were various vacancies in the membership of the House, occasioned either by death or the acceptance of offices of profit under the government, to any one of which he—such was his prestige—might probably be elected. Hence his resignation from the position of clerk of the House. On the day on which the session began, among the new writs which it was ordered that the governor be asked to issue for filling vacancies, was one for *William & Mary College*, a corporation close at hand and composed of only six or eight voting members. The governor issued his writ at once, the election took place at once, and Sir *John Randolph* the next day qualified as member of the House, and on the day following, Mr *Holloway* having handed in his resignation, was elected to the speakership, and later on in the session to the treasurership. The speech made by Sir *John Randolph* in accepting the office of speaker is an admirable one of its kind, showing him to have been a man of unusual ability, fully worthy of the esteem in which he was held by his contemporaries and of the success which crowned his efforts.

The reason given by Mr *Holloway* for his resignation was the condition of his health, but it was soon found—and must have been suspected before the opening of the session—that his accounts as treasurer were not in a satisfactory condition. Full examination proved there was a shortage of one thousand eight hundred and fifty pounds, which his bondsmen were required in time to make good.⁶⁰ Mr *Holloway* having assigned them for their indemnity various mortgages, judgments, and other securities, and confessed a judgment to them in the General Court for the sum of five thousand pounds, and, in addition, assigned to trustees all his estate for the satisfaction of his debts to his bonds-

⁵⁷ See pp. 157, 158, 162.

⁵⁸ See pp. 161, 162, 163, 167.

⁵⁹ It should be remembered that Sir Robert Walpole was heartily in favor of the passage of an excise law, and that he introduced such a measure, withdrawing it, however, when he realized the full extent of the opposition to it. No doubt Randolph had been of great assistance to him.

⁶⁰ See p. 220.

men and all other debts, a provision was, on the petition of these bondsmen, inserted in the "Act for appointing a treasurer, and for other purposes therein mentioned"⁶¹ that the new treasurer be allowed to receive these securities and recover on them at once so much as should be needed to make up the amount of the shortage, the bondsmen not being proceeded against. The money needed immediately to discharge sums owed by the government and payable from the duties on liquors and slaves the treasurer was to borrow. Mr *Holloway*, having given up his whole fortune, was not prosecuted criminally. It is doubtful, indeed, if there was a law under which he might have been proceeded against. But, in fact, the feeling seems to have been that he was unfortunate rather than criminal and that since he had for many years served the people faithfully and well, he should now in his old age, in the time of reverses brought about by unwise loans, and in the time of his physical and mental deterioration, be an object of commiseration rather than of condemnation and contempt. This feeling is well expressed in a communication of the Council to the House⁶² asking that there be inserted in the "Act for appointing a treasurer, and for other purposes therein mentioned," then under consideration, a clause granting Mr *Holloway* fifty pounds a year for his services the two preceding years in settling the accounts of the inspectors of tobacco, a service for which he had not been paid, although in the act then under consideration it was provided that the new treasurer for similar services in the future should receive fifty pounds a year. A motion to this effect had already been defeated in the House, but now the recommendation of the Council was readily agreed to.

The governor explained in his opening speech that it was on account of the approaching expiration of the tobacco law—it was passed in 1730 to be in force from the first of *August*, 1730, till the 10th of *November*, 1734—that the Assembly had been called together. He recommended that it be continued with such alterations as experience had pointed out to be necessary, especially in regard to the number of the warehouses, their location, the rents to be paid for them, and the salaries of the inspectors. He also asked that the law to be passed be enacted for a longer period than had been the case with the former laws. The General Assembly went to work with a will, adopting the governor's suggestions in the main, and including in the revision of the law many of their own ideas in addition, but refused to permit the law to run for a longer term than four years.⁶³ The difficulties of the situation are seen on almost every page of the Journal. Especially are they set forth in the address of the House in reply to the governor's opening speech. The question of the expense of carrying the law into execution was a serious one, for not only had buildings to be put up, inspectors paid, etc., but when a warehouse was burned, the owners of the tobacco destroyed with it had to be recompensed. The fees charged for making inspection did not for some years equal the sum of these expenses.

The only other recommendation made by the governor was that amendments be enacted to the militia law. The House went to work with a will on this recommendation also, and, having in course of time completed a bill on the subject, entitled "An act for the more equal lifting of persons to serve in the militia, and for enforcing the laws to better regulate the militia," sent it up to the Council, by whom it was so amended as to render it unacceptable in the chamber of its origin. Efforts to bring the two houses together proving unavailing, the bill was lost. There was reenacted, however, the law passed in 1727 for making provision against invasions and insurrections, which was to be in force for three years.⁶⁴

Though the session was one of hard work on various measures, and especially on the tobacco law, a measure affecting in a peculiar manner the interests of every member present, and differences of opinion were frequent, kindness and courtesy characterized the feelings existing between the House and the Council except on one occasion, and then the breach was only of very short duration. On the very day before the close of the session managers were sent by the House to request that there be a conference on the

⁶¹ Hening, IV, 433-436.

⁶² See p. 229.

⁶³ Hening, IV, 380-393.

⁶⁴ Hening, IV, 395.

subject of amendments which had been made by the Council to a bill passed by the House and from which the Council had refused to recede though the bill had been sent back to that body with the request that it do so. The managers reported that they had met two members of the Council in the conference chamber, who said that it was contrary to the rules of the General Assembly for a chamber to agree to a conference after it had adhered to amendments, and that therefore the Council could not agree to the request of the House. Taking exception to the manner, probably, in which this determination was expressed, rather than to the matter of it, the House passed resolutions of condemnation. These, however, have not come down to us; for they were expunged from the Journal the very next day and were not printed. This happy result was brought about by an explanation made by the Council to the speaker of the House, to the effect that there had been a misunderstanding, the Council not intending absolutely to refuse a conference, but merely to say that a conference would be unnecessary since they had adhered to their amendments. The council said further that they were ready to go into a conference if the House desired it. The House expressed itself as satisfied and ordered the erasure of the resolution passed the day before. The good feeling shown on all sides at this meeting of the Assembly was so marked that the speaker, who made an address to the governor on the closing day of the session in lieu of the address of the House which on former occasions had been prepared by a committee, felt called on to comment upon it, diplomatically explaining it by the good example set by the governor himself, who by his civility in the conduct of affairs had succeeded in banishing factions from the Colony.

Besides being a session of hard work well done, the session is further noted as being one in which the Assembly went on record in a manner more pronounced even than in the past as friendly to learning in the Colony in the passage of "An act for the better support and encouragement of the College of *William and Mary*, in *Virginia*,"⁶⁵ after hearing the president and masters of the college at the bar of the House in committee of the whole⁶⁶ on the financial condition of the institution. This act provided regulations the object of which was to secure with certainty the penny a pound on tobacco exported to the other *English* plantations in *America*, which had been imposed by the charter of the college, and the duties laid on skins and furs by a law of *Virginia* of the fourth of *Queen Anne*, and gave to the college the whole of the duty of one penny per gallon laid on liquors imported, instead of only two hundred pounds per annum out of this duty, and exempted all connected with the corporation from taxation.

⁶⁵ Hening, IV, 429-433.

⁶⁶ See p. 215.

Assembly of 1736-1740.

First Session

THE Assembly of 1727-34 had at their last session been prorogued merely, not dissolved, but in the meanwhile Governor *Gooch* had concluded that it would be well to call a new Assembly, the seven years allowed by the Septennial Act as the life of an *English* Parliament being nearly spent, and it being Governor *Gooch's* desire, even if he had no instructions on this head, to follow *English* precedent. The new Assembly remained in existence, counting its life from the time of the election of its members to the time of election of members of the succeeding Assembly, for about seven years. It had been elected, and called together to meet first on *August* 1, 1735, but had been prorogued before meeting, and had not actually come together till *August* 5, 1736. Following the custom, however, adhered to in this set of volumes it is more convenient to speak of this Assembly as the Assembly of *August* 5, 1736—*August* 28, 1740, or merely the Assembly of 1736-40, from the date of the opening of its first session and the close of its last.

The first session began on *August* 5, and ended on *September* 22, 1736. The membership of the House consisted at this session of 71, the Counties of *Orange* and *Amelia* having come into existence since the close of the last session of the preceding Assembly, of whom sixty were present on the first day. Sir *John Randolph* was elected speaker, though with some opposition. His speech of acceptance and the speeches made by him throughout the session were of the same high order of excellence as his speeches made at the preceding session, quite surpassing those of the governor, the only other speeches reported in full, and showing a thorough understanding of the theory of representative government and of its practice in Virginia.

Governor *Gooch* had the great satisfaction at the opening of the first session of this Assembly of announcing that the king had been pleased to give his assent to the two of the acts passed at the last session of the preceding Assembly concerning which the people were most solicitous, namely, the "Act for the better support and encouragement of the College of *William and Mary*, in *Virginia*" and "An act for amending the act, intitled, An act for settling the titles and bounds of lands." The latter of these acts being one of prime importance, the people were specially desirous of seeing it not only incorporated as a part of their legal system but incorporated in such a way that it could not be readily changed, and this latter object was effected by having the king's express confirmation of the law, it being necessary for the enactments of the General Assembly of *Virginia* repealing or amending such laws as had received the sanction of the king to have attached to them the proviso that they should not go into effect till approved by the king. This requirement, making for the greater stability of the laws, and, perhaps, useful in the earlier history of the Colony, came later on to be considered a hardship. One of the most interesting legislative documents drawn in the history of Colonial *Virginia* is the petition of the General Assembly of *Virginia* to the king in 1752 on the subject of the repeal by the king of ten acts included in the great revival of the laws of 1748-49 and of his assent to the others.⁶⁷

The only two matters called to the attention of the General Assembly for legislative action were the condition of the militia and the practice of importing liquors by land from *Maryland* and *North Carolina*, on which, as the law then stood, no duty could be collected. A comprehensive bill was promptly introduced in the House for the better regulation of the militia and passed, but, as in the preceding session of the Assembly, the House and the Council could not agree, and the bill failed. The question on which no compromise could be arrived at between the two houses was as to the

⁶⁷ Henning, V, 432-443.

number of times a year the militia should be called upon to drill, the House standing out for four times and the Council for twelve. The views on the main features of the bill are very ably set forth in the Journal for *September* 16.⁶⁸ This bill having fallen through, one of its provisions being that a tax of six pence per poll should be levied on all negroes for two years for the purpose of securing funds with which to purchase arms for the poorer people of the country unable to buy arms for themselves, a paragraph was inserted in an address to the king on his auspicious reign and on the late marriage of the Prince of *Wales*, asking that his majesty furnish a supply of arms for the poorer sort of the militia, in order that they might not continue "useless and ineffective."⁶⁹ The situation in respect to the importation of liquor was dealt with by the passage of the law entitled "An act for laying a duty upon liquors imported by land; and better securing the duty upon slaves; and for other purposes therein mentioned."⁷⁰

If there were any friends of the great tobacco law who supposed that by the amendments passed in 1734 it had been rendered agreeable to all, they at this session had a rude awakening; for on *August* 12 it was ordered by the House by a decisive majority that a bill should be brought in to repeal the act. In a very short time the bill was brought in accordingly and passed by the House.⁷¹ Fortunately, however, it was rejected by the Council. Then the House passed a bill which, with amendments, was concurred in by the Council, its title being "An act further amending the act, for amending the staple of tobacco; and for preventing frauds in his majesty's customs,"⁷² and its two most important provisions being the repeal of the prohibition contained in the act itself put upon selling tobacco before it had been inspected at one of the warehouses and the rendering inspectors ineligible to sit as burgesses.

At this opening session the committee of privileges and elections was an important one, having under consideration first and last nearly a full dozen contested election cases, several of which brought to light a peculiar species of bribery, namely, the transfer to a citizen just before the election of a sufficient amount of land to entitle him to vote, on the understanding that he would vote in a given manner. This abuse led to the passage of the "Act to declare who shall have a right to vote in the election of burgesses to serve in the General Assembly, for counties; and for preventing fraudulent conveyances in order to multiply votes at such elections,"⁷³ whereby only the owner of one hundred acres of unimproved land or twenty-five acres of land having a house on it and cultivated, the same having been owned for at least one year before the election (when not coming by descent, marriage, marriage settlement or bequest), or the sole owner of a house and lot in a town or city, could vote in an election for the House; and when required, the voter was obliged to take an oath that he was legally qualified. The proceedings had in these various cases show that the House took cognizance to the very fullest extent of the qualifications and election of its members, not only deciding whether a member was legally elected or whether a member's character was such as to unfit him for service, but also going to the extent of punishing those who interfered in an election or failed in the performance of duty in reference to one. For instance, the sheriff of *Hanover* reported to the House that it had been impossible to hold an election in his county because of the riotous conduct of the crowd gathered at the polls. The three men named by him as being mainly responsible for disorder were sent for in custody of the sergeant at arms to answer for their misdemeanor.⁷⁴ The sergeant at arms found one of these men confined in the *Hanover* jail, but the other two were brought before the bar of the House. Humbly acknowledging their errors and promising future good behavior, they were released from custody, on the payment by one of them of fees, which were not required of the other, since several of the members of the House testified to the man's

⁶⁸ See pp. 301-303.

⁶⁹ See p. 314.

⁷⁰ *Hening*, IV, 469-474.

⁷¹ See p. 260.

⁷² *Hening*, IV, 478-482.

⁷³ *Hening*, IV, 474-478.

⁷⁴ See p. 278.

usual sobriety and good conduct. Another example was that of *Thomas Roy*, an inspector of tobacco at a warehouse in *Caroline* county, who was charged with having threatened certain voters that he would not pass their tobacco unless they voted for the candidate for the House whom he favored.⁷⁵ Mr *Roy* was sent for to answer his "misdemeanor and breach of the privileges" of the House. He petitioned the House⁷⁶ praying to be heard, with witnesses, and his prayer was granted, the case being referred to the committee of privileges and elections for consideration, which, after hearing *Roy* and others, recommended in their report to the House that *Roy* be discharged out of custody, paying fees, and the House so ordered. An example of the punishment of an officer for irregularity in an election is to be seen in the case of Mr *Francis Heyward*, who, when sheriff of the county of *York*, had been guilty of leasing out small parcels of land a short while before the election, for the purpose of qualifying persons to vote.⁷⁷ It was resolved that he in so doing had "acted corruptly, against law, and the duty of his office," and it was ordered that he be brought to the bar of the House, reprimanded by the chair, and that he then be discharged, paying fees. Mr *Heyward's* case was the one particularly which led to the passage of the law regulating the election of burgesses.

The petition made by the General Assembly of 1730 to the king that he find means to quit the claims of the proprietor of the *Northern Neck* so that the inhabitants of that part of *Virginia* might hold their property in land in just the same manner as the inhabitants of other sections of *Virginia*, that is, immediately of the king, had failed to effect its object. Lord *Fairfax* would not recede from the claim set up by him in reference to titles to land conveyed by his agents or agents of former proprietors to settlers. Hence at this session the Assembly took the settlement of the question into its own hands, as it had a right to do since in the original letters patent it had been stipulated that the patentees, their heirs and assigns, and other inhabitants of the section should be "in all things subject and obedient to such laws and constitutions, as were or should be made by the said governor, Council, and Assembly, for or concerning the said Colony or the government thereof."⁷⁸ A law was accordingly passed providing that the lands conveyed up to that time should be held in the manner stipulated by the agents, and this law was allowed by the king.⁷⁹

Second Session.

The second session lasted from *November 1* to *Dec. 21*, 1738. The first business transacted by the House was the admission as a member of the newly elected burgess from the borough of *Norfolk*, among the privileges granted this corporation by its charter, and expressly confirmed to it by act of the General Assembly passed at the preceding session,⁸⁰ being the power to elect one burgess to the General Assembly. Since this was the only additional burgess provided for by the General Assembly at their preceding session, the membership of the House at this session was 72.

The member from *Norfolk*, as well as such other members as while the session was in progress were elected to fill vacancies in the House, was compelled to take the customary "oath of a burgess," in addition to the oaths required by law.⁸¹ This was the last session of the House, however, at which the oath of a burgess was administered. This was a special oath which was used for the first time probably in 1652, at an Assembly meeting soon after the Colony had made its submission to Parliament, and which had (its form, however, having been somewhat changed in 1666) been in use ever since.⁸² Toward the close of the present session the House, some question having arisen as to the obligations

⁷⁵ See p. 274.

⁷⁶ See p. 303.

⁷⁷ See pp. 276, 282, 283.

⁷⁸ Hening, IV, 519.

⁷⁹ Hening, IV, 514-523.

⁸⁰ Hening, IV, 541-542.

⁸¹ These were "the oaths appointed to be taken by act of Parliament instead of the oaths of allegiance and supremacy," the oath of abjuration, and the test.

⁸² See p. 382.

imposed by the oath, by resolution discontinued it, being of opinion evidently that the oaths required by law were sufficient, added to a strict enforcement of the rules of the House, to hold members to the performance of their duties.

Sir *John Randolph* having died the preceding year, it became necessary for the House to elect a successor as speaker, and Mr *John Robinson* was elevated to the position and, later, by act of the whole General Assembly, appointed treasurer.⁸³ Happily, when the accounts of Sir *John Randolph* as treasurer and those of his brother, *Richard Randolph*, treasurer by the appointment of the governor till the end of the present session of the Assembly, were examined, no regrettable disclosures followed, as was the case with Mr *John Holloway*, the treasurer preceding Sir *John Randolph*, and with Mr *Robinson* himself after many years of service.

The governor devoted most of his opening address to an argument in favor of the continuance of the tobacco law, which was to expire on the 9th of *November*, 1739, and to a statement of the fact that there had recently occurred on the frontiers several murders by the *Indians* incident to the hostilities at that time carried on between the *Northern Indians* and the *Catawbas* and *Cherokees*.

The reply of the House gives expression possibly even more freely than usual to the good will entertained by its members toward the governor, and this good will was further evident, and in a more practical and conclusive way, in an honest effort to carry out, so far as the individual opinions of members would allow, his recommendations, and to relieve the conditions described. The great importance of the tobacco act was recognized by the House so fully that when on *November* 8 the committee of the whole, which had been considering the governor's speech, reported that it was the opinion of the committee that the act should be continued, with alterations and amendments, the consideration was deferred till the following *Tuesday* week, when it was ordered that the roll of the House should be called over and absent members be proceeded against with the utmost severity. On the day appointed, the report was taken up, and the resolution of the committee was agreed to by a vote of 39 to 30. The full number of members of the House at this session was only seventy-two, and on *November* 21 two of these had not yet taken their seats.⁸⁴ Furthermore, since it was not necessary for the speaker on this occasion to cast his vote, the recorded vote seems to show that every member of the House was present and assuming the responsibilities of the position to which he had been elected. It seems probable that this unusual length of time between the submission and the consideration of the report was ordered for the very purpose of securing full representation. If consideration had been had earlier, the number of constituencies not fully represented when the vote was taken would have been greater, since at the beginning of the session there were found to be at least seven vacancies in the House occasioned by death, and one by the acceptance of the office of sheriff by the original holder of the position, and it took some time to hold new elections. The delay gave ample opportunity, too, of course, for informal discussion of the law among the members. The bill introduced in accordance with the order of the House was finally, after full consideration by both branches of the Assembly and considerable amendment in both, enacted. It bore the title "An act for further continuing and amending the act, for amending the staple of tobacco; and for preventing frauds in his Majesty's customs."⁸⁵ It was to be in operation immediately from passage, and, with so much of the act whose place it took as was not repealed or altered, was to continue in force till the 9th of *November*, 1739. The principal change made by it was in the method of the appointment of inspectors, two of whom were now to be chosen for each warehouse by the governor from a list of four eligibles furnished him by the justices of the court of the county in which the warehouse was situated. Formerly the governor had the appointment, with and by the advice of the Council. Inspectors were also held to stricter accountability for failure to attend to their duties.

⁸³ Hening, V, 64, 65.

⁸⁴ See pp. 351, 352.

⁸⁵ Hening, V, 9-16.

For the safety of the inhabitants on the frontiers and the encouragement of settlements, several measures were introduced in the House which became laws: 1. "An act, for reviving the act, for making more effectual provision against invasions and insurrections,"⁸⁶ the act thus revived having been passed at the first session of the Assembly of 1727-32; 2. "An act, to encourage settlements on the southern boundary of this Colony,"⁸⁷ such settlers being exempted from levies for ten years and at all times thereafter permitted to pay all public dues and officers' fees in money instead of in tobacco, and the governor of *Virginia* given the right to grant letters of naturalization to any alien who might settle there on certificate from the clerk of any court that the applicant had taken the "oaths appointed by parliament to be taken, instead of the oaths of allegiance and supremacy; and taken and subscribed the oath of abjuration, and subscribed the test;" 3. "An act, for erecting two new counties, and parishes; and granting certain encouragements to the inhabitants thereof,"⁸⁸ whereby *Frederick* and *Augusta* counties came into being, the act providing for the same encouragements to settlers as were extended to settlers on the southern boundary. In addition, the militia bill which had failed at the preceding session, or a bill very similar, was introduced, and, with amendments, passed by both Houses, in its final form bearing the impress to a much greater extent of the House than of the Council.

There were twenty-five acts in all—private acts and public laws together—passed at this session. The House was not too busy, however, with secular affairs to neglect those of a religious nature, as is attested by an order of *November 13* that the thanks of the House be returned to Mr *Chicheley Thacker* for his "excellent sermon" preached before the House the day before. It was further ordered that one thousand copies of the sermon should be printed, "to be proportioned amongst the several counties in this Colony; to be distributed by the respective courts of the said counties, in the best manner, for the comfort of Christians, against the groundless objections to the divinity and dignity of the blessed Jesus," an order which the governor did not fail to commend in his speech of prorogation.

At this session of the Assembly an attempt was made to have a law passed for the removal of the seat of government from *Williamsburg* to some place more convenient, but since the advocates of removal could agree on no place, some favoring *Bermuda Hundred* and others *West Point*, the scheme fell through.⁸⁹

Third Session.

When the third session of Assembly was in progress (*May 22* through *June 16, 1740*), *England* was engaged in the war with *Spain* over the treatment by the *Spaniards* of *English* smugglers, and most of the time of the Assembly was spent in concerting measures for putting the Colony in better position for defense should an attack be made on it and for the enlistment of the soldiers who were to serve from *Virginia* in the expedition contemplated against the *Spanish* possessions in *America*. The device hit upon for raising the troops—only a few hundreds in number—was the impressment by the magistrates of the various counties of "able-bodied persons, fit to serve his majesty, who follow no lawful calling or employment," it being expressly provided by the law passed that no one might be thus impressed that had a vote in the election of a member of the House of Burgesses, and no indentured or bought servant.⁹⁰ It is not surprising that a contingent thus made up, especially since it had little time for necessary training before the day of actual conflict, did not distinguish itself greatly at *Carthage*. For home defense, there was passed "An act, for the better security of the country in the present time of danger,"⁹¹ providing for the expenditure of two thousand pounds *sterling* in the

⁸⁶ Hening, V, 24.

⁸⁷ Hening, V, 57-58.

⁸⁸ Hening, V, 78-80.

⁸⁹ Hening, V, 16-23.

⁹⁰ See pp. 341-342.

⁹¹ Hening, V, 94-96.

⁹² Hening, V, 90-91.

immediate purchase of arms for the militia, to be distributed as the governor, with the advice and consent of the Council, might think best; company musters should take place certainly as often as once in two months—more frequently if necessary—and general musters in *March* and *September* of each year, and at such other times as those in authority might think advisable. This provision for an increased number of musters was to continue for only three years or, if hostilities did not last so long, only till the close of the war. Since the "Act, for making more effectual provision against invasions and insurrections," made first in 1727 and revived in 1738, was to expire on the 21st of *December*, 1741, it was enacted that it should be continued from that time for three years, with an additional clause imposing heavy penalties on officers and men who when called into the field by the governor in times of emergency should fail to give prompt obedience.⁹³ The increased revenues necessitated by the appropriation of the two thousand pounds for the purchase of arms, and by provision made for those who were to serve in the expedition against the *Spaniards*, were to be raised by laying an additional duty on slaves for four years;⁹⁴ and to the act providing for this purpose there was added a clause directing how such deserters as might escape punishment by court martial should be dealt with in the civil courts, these being empowered to order their sale as servants for five years. Since it was thought that the war would necessarily result in a delay in the arrival of the ships from *England* engaged in the carrying of tobacco, an act was passed for extending the period during which it might be lawful for owners to bring their tobacco to the public warehouses.⁹⁵

Other acts passed at this session in addition to those occasioned by the war—there were fifteen altogether—were not of prime importance except, perhaps, the "Act, for enforcing the execution of the laws made for the better managing and securing orphans' estates,"⁹⁶ whose principal provisions were that guardians appointed by the county courts should render accurate accounts to the courts once a year and that the courts should at all times exercise proper oversight in order to prevent abuses and mismanagement on the part of guardians. A very interesting bill, however, introduced, and actually passed by the House, but defeated in the Council, bore the title "An act, for dissolving the present vestry of this Colony, for electing new vestries, and other purposes therein mentioned." The passage of the act by the House shows the discontent of the majority of its members, and probably of the majority of the inhabitants of the Colony, with the vestries as then constituted, made up as they were mainly of men on whom the people of the respective parishes had not voted, vacancies in vestries being, according to law, filled by the vestries themselves.

The usual proportional amount of time was taken up at this session in the consideration of cases involving the privileges of members of the House and the election and return of members, in one at least of the former the House insisting on privilege to a degree much more extended than would probably be asserted by a similar body at the present time, and in the latter showing a most commendable regard not only for their own privileges but also for the rights of the whole people. As proof of this, the case of *John Parker* and that of *Mr Beverley Whiting* may be cited.⁹⁷ *John Parker* assaulted a servant belonging to *Mr Harrison*, a member of the House, and spoke disrespectfully of *Mr Harrison* himself. It was resolved by the House that he was guilty of a breach of the privileges of the House, and he was compelled to acknowledge his offence and on his knees ask the pardon of the House and of *Mr Harrison*. *Mr Whiting* was returned as a member of the House from *Gloucester*, but on contest it was brought out, among other things, that he had been guilty of one or two infractions of the election laws (including the promise to pay the fines of several voters for remaining away from the polls), and that his friend, Captain *Robert Bernard*, had also been guilty, though whether or not at *Mr Whiting's* instance did not appear. *Mr Whiting* was declared not duly elected,

⁹³ Hening, V, 99-100.

⁹⁴ Hening, V, 92-94.

⁹⁵ Hening, V, 98.

⁹⁶ Hening, V, 100-101.

⁹⁷ See pp. 421, 426, 427.

and Captain *Bernard* was compelled to "make an acknowledgment of his offense and breach of privilege, and ask the pardon of the House for the same." An interesting case in which the rights of the people were involved rather than the privileges of the members of the House was the case of the justices of *Prince William* county, who had refused, contrary to law, to receive and certify two propositions offered to them. The committee of privileges and elections, which had been ordered by the House to investigate the case, reported a resolution to the effect that the justices had "acted illegally, arbitrarily, and contrary to the rights of the people." Mr *Valentine Peyton*, one of the justices and at the same time a member of the House, was required to acknowledge his offense and to ask the pardon of the House. The others were sent for in custody of the sergeant at arms, but when they reached *Williamsburg* were, on their petition setting forth their sorrow at having fallen under the displeasure of the House and calling attention to the fact that they had been put to the expense and trouble of traveling two or three hundred miles and also had suffered great disgrace, discharged.⁹⁸

Fourth Session.

The Assembly at its third session was prorogued to the 21st of *August*. Coming together promptly at that time, it found the only occasion for its meeting to be the passage of an act, in pursuance of royal instructions to Governor *Gooch*, making provisions for payment of the expenses of the Colony's quota of troops for the expedition fitting out against the *Spanish* possessions. The supply asked for was willingly and quickly granted, the session lasting only eight days and the bill granting the supply being the only one offered. As passed, its title was "An act for giving to his majesty the sum of five thousand pounds, towards defraying the expense of victualling and transporting the soldiers, raised in this Colony, to serve his Majesty on an intended expedition against the Spaniards in the *West Indies*."⁹⁹ The expense of victualling and transporting was to be borne only till the troops assembled at the general rendezvous (*Port Royal*, in *Jamaica*), after which all expenses of the expedition were to be met by the crown. The five thousand pounds appropriated was to be borrowed on the security of the revenues arising from the taxes laid by the General Assembly at the preceding session on liquors and slaves imported.

The House took advantage of the meeting to draw up an address to the king and a petition to Parliament requesting the same liberty of importing salt from *Europe* that the Northern colonies enjoyed, papers to which the Council refused to agree, the time being evidently in their opinion not propitious. The Assembly was prorogued to the last *Thursday* in *December*. The session, however, thus coming to a close was the last of this Assembly, since on the death of Governor *Spotswood* Governor *Gooch* succeeded him in command of the colonial troops engaged in the *Spanish* expedition and very shortly took his departure for *Port Royal*. On his return from the expedition he called a new Assembly.

⁹⁸ See pp. 429, 430.

⁹⁹ Hening, V, 121-123.

THE
JOURNAL
OF THE
HOUSE OF BURGESSES.
AT A
GENERAL ASSEMBLY,

Begun and held at WILLIAMSBURG the first
day of *February* in the first year of the Reign
of Our Soverain Lord GEORGE the Second
by the Grace of God of *Great Britain, France*
& *Ireland*, King, Defender of the Faith &c.
And in the Year of Our Lord MDCCXXVII.



RICHMOND, VIRGINIA.

MCMX

A GENERAL ASSEMBLY

BEGUN and held at WILLIAMSBURG the first day of *February* in the first year of the Reign of Our Soverain Lord GEORGE the Second by the Grace of God of *Great Britain France & Ireland* King Defender of the Faith &c. And in the year of Our Lord MDCCXXVII. Before the Hon'ble WILLIAM GOOCH Esq^r. His Majesty's Lieutenant Governor and Commander in Chief of the Colony and Dominion of VIRGINIA. On which day being the first day of the Session of this Assembly *Richard Fitz William John Grymes William Dandridge and John Custis* Esq^{rs} By virtue of a Commission to them directed by the Lieutenant Governor, did orderly & distinctly administer the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the Abjuration Oath appointed to be taken by an Act of Parliament made in the sixth year of the Reign of the late Queen *Anne*, together with the Test and Oath of a Burgees to forty six Members return'd Burgeesses to serve in this General Assembly who then appear'd, and did also administer the said Oathes appointed by Law with the Test and Oathes of their respective Offices to *John Randolph* Esq^r Clerk of the House of Burgeesses and *Philip Finch* Gent. Serjeant at Arms attending the said House.

And afterwards all the Members who took the said Oathes feated themselves in the House of Burgeesses. And a Message was deliver'd from the Governor by Mr *Robertson* as follows.

Gentlemen of the House of Burgeesses

The Governor commands your immediate attendance in the Council Chamber.

And the House went up accordingly.

Thursday, February 1, 1727.

THE House having attended the Governor and being return'd Mr *Henry Willis* put them in mind of the Governor's Commands to make choice of a Speaker, and Mr *Holloway* was unanimously chosen, and being placed in the Chair he made a Speech to the House, wherein he expressed the just sense he had of the obligation they had laid him under, and return'd them thanks for their great kindness and respect towards him. And the Mace was brought into the House and laid under the Table.

Resolved, That a Message be sent to the Governor to acquaint him that this House have made choice of a Speaker and to know his pleasure when the House shall present him.

Order'd, That Mr *Harrison*, Mr *Meriwether*, Mr *Conway*, Mr *Armistead*, Mr *Presly*, Mr *Blair*, Mr *Braxton*, Mr *Robert Bolling*, Mr *Henry Willis*, Mr *Grymes* and Mr *Robinson* do carry the said Message.

And Mr *Harrison* acquainted the House that they had attended the Governor accordingly, and that he was now ready in the Council Chamber to receive this House with their Speaker.

The

The House accordingly went up with the Speaker Elect, and being return'd Mr *Speaker* reported That the House had attended the Governor in the Council Chamber, and had presented their Speaker, and that the Governor was pleas'd to say the Choice this House had made was most acceptable to him; and that he had petition'd in the name of this House, That they might enjoy all their antient Rights and Privileges established either by Law or Custom, To which the Governor answer'd that it should be his especial Care to maintain this House in the Enjoyment of these and all other their just Rights and Privileges.

And Mr *Speaker* further acquainted the House that the Governor was pleas'd to make a Speech to the Council and this House, which being of a considerable length, he had obtain'd a Copy of it, and the same was read and is as follows.

Gentlemen of the Council and House of Burgeffes.

Being by the special Favour of His Most Excellent Majesty appointed to this Honour, I think it my duty to lay before you, at our first meeting, such rules and methods as I have already prescribed to my self, and I hope will be agreeable to you in my future Administration and Conduct.

And that I may be sure I set out right, I shall in the first place make it my constant care to promote and propagate Religion and Virtue to discourage and discountenance Vice and Immorality among you: And here give me leave to observe, that I look upon it as my peculiar Felicity that I am come to a Country where the Doctrine, Discipline and Worship of the Church of *England* are not only established, but almost universally received and complied with. But if there are among you any Dissenters from this Church, with Consciences truly scrupulous, I shall think an Indulgence to them to be so consistent with the Genius of the Christian Religion, that it can never be inconsistent with the Interest of the Church of *England*.

Next to Our Religious, it ought to be your Concern as well as mine, to take care of our Civil Duties; and the first and chief of these is, our Loyalty to The King; whose Royal Virtues deserve all that Honour Allegiance and Fidelity that His Royal Station demands at our hands: By Him and His Family, next under God, is our happiness secured, for from the Example of our most Illustrious and Gracious Queen, the Disposition and Education of Their Royal Issue, we may, with the utmost Satisfaction, look into Futurity, and see the possession of those valuable Blessings, our religious and civil Rights, by the same principles which now protect and guard them, transmitted in a lineal Succession to latest posterity.

And as the Laws of our Country are the measure of our Civil duty, I shall think it particularly incumbent upon me to see them put in strict Execution. To the due observance of these all Ranks & Conditions of Men are to look upon themselves as equally obliged: and 'tis to these we owe both the preservation of public Peace, and the security of private Prosperity.

But, besides these obligations, which are strictly legal, and may be enforced by just authority, there are also Duties & Virtues of a social Nature, which, tho greatly tending to the welfare of Communities are not directly the matter of human Laws: such as Civility & good Nature Hospitality & good Neighbourhood and all that mutual Affection which tends to the enlarging improving & securing a friendly Intercourse and Correspondence between Man & Man: I mention this with the greater pleasure, not for their importance only, but because by all I have yet heard, or seen, I am rather to request their continuance, than recommend their practice.

And now, *Gentlemen*, as these are the good principles I am furnish'd with, and these the good purposes I am bent upon, so I hope you'll be convinced by what I have now to recommend to you, that I am not less zealously inclined to study & promote every thing that may advance your Honour, Credit and Safety.

And therefore *Gentlemen of the House of Burgeffes*,

The repairing the Battery at Point Comfort is so absolutely necessary for the security, not only of *James River*, but in a manner of the whole Trade of this Colony, that I
make

make no doubt but you will readily contribute to the putting it in such a condition as the common safety requires, and suitable to the benefit the Public will receive thereby.—

And for a further security to your Trade, I must, with equal earnestness, recommend to you the erecting of a Light-house on Cape *Henry*, which is so much wanted for the preservation of shipping from the dangers of the Enemy as well as Seas, that I hope you will once more consider of it: And if you find it necessary to prepare a Bill for that purpose, a clause may be inserted to prevent your being at any charge thereon, unless our Neighbours of *Maryland* either will, or can be compell'd to contribute towards it's Maintenance.

Gentlemen of the Council and House of Burgeses,

The agreeing upon some methods to prevent delays in the Courts of Justice, so very obvious & inconvenient to the People in general, is what I have in an especial manner to recommend to you.

And because your late Law for the improvement of Tobacco is to have its determination with this Session of Assembly, it was one principal reason for my calling you together at this season of the year, that the Country might know in time how to prepare for their next Crop, in case you should think fit to continue that Act, or to provide in a better manner for the improvement of your Staple. And I take this occasion to assure you, that whatever you think convenient to be done for the advancement & encouragement of your Trade if conformable to my Instructions, I shall with great cheerfulness concur therewith.

In short, *Gentlemen*, as your own observation and experience will suggest to you the best methods for promoting your own happiness, either public or private, be you so kind as to inform me of them, and then I will venture to promise for my self, that, as I have no other nor farther views than to approve my self to my Royal Master, such as I ought, and such as you may expect me to be, so you shall always find in me a disposition to receive you kindly, to advise you sincerely, to assist you faithfully, in all your personal applications to me, and correspondence with me: And if to these we join what is my Inclination as well as obligation, an impartial Justice in the Administration here, and a fair and faithful Representation of matters from hence, I shall then make no question but by the Blessing of God, which I shall always and earnestly implore, we shall see ourselves a happy and a contented People.—

And then the House adjourn'd till to-morrow morning 10. a clock.—

Friday, February 2, 1727.

THE Governor's Speech was again read,

Resolved, Nemine Contradicente, That an humble Address be presented to the Governor to return him the thanks of this House for his most kind & obliging Speech at the opening of this Session.

Resolved, Nem. Cont., That an humble Address be prepared to The King, to condole the Death of His late Royal Father of blessed memory, and to congratulate His Majesty upon His peaceable and happy Accession to the Throne of His Ancestors.

Resolved, That this House will take the Governor's Speech into Consideration on Monday next.

Order'd, That a Committee of Privileges & Elections be appointed of these persons following, viz't.

Mr Escribde.

Mr Nicholas Smith.—

Mr Grymes.—

Mr Smith.—

Mr Thacker.

Mr Robinson &

Mr Randolph.—

And they are to meet as often as they find it necessary: and to take into their consideration all such matters as shall or may come in question touching Returns, Elections, and

and Privileges and to report their proceedings with their opinions thereupon to the House from time to time. And all persons that will question any Returns, are to do it by *Thursday* next, or otherwise their complaints shall not be received or heard, unless some sufficient cause can be shewn to the House, why they could not prefer such complaint within the time before limited. And the Committee are to have power to send for Persons, Papers, and Records for their information.

Order'd, That a Committee for Public Claims be appointed of these persons following *viz't*.

<i>Mr Robert Bolling.—</i>	<i>Mr Bridger.—</i>	<i>Mr Simmons.—</i>
<i>Mr Laurence Smith.—</i>		<i>Mr Ball.—</i>
<i>Mr Godwin.—</i>		<i>Mr Whitehead.—</i>
<i>Mr Sam. Harwood.—</i>		<i>Mr Rob. Armistead &</i>

Mr Burges.

And they are to meet when they shall find it necessary, and to adjourn from day to day; and to take into their consideration all the public Claims, which shall be presented to the House, during this Session, and to report their proceedings, with their opinions thereupon to the House, when they have gone thro all the said Claims. And all persons that have any claims, which are legally certified, are to deliver the same to the Clerk of this House by *Thursday* next, or otherwise they shall not be received without the leave of the House, And he is to deliver the Claims to the Com'ee of Course. And the Com'ee are to have power to send for persons, papers, & Records, for their information.

Resolved, That *Mr Miles Cary* be appointed Clerk of both the said Committees, And *Order'd*, That he diligently attend the duty of the said Office.

Order'd, That a Committee for Propositions & Grievances be appointed of these persons following *Viz't*.

	<i>Mr Harrison.—</i>
<i>Mr Meriwether—</i>	<i>Mr Braxton—</i>
<i>Mr Conway—</i>	<i>Mr Hen. Willis.—</i>
<i>Mr H. Armistead.—</i>	<i>Mr Dangerfield—</i>
<i>Mr Presly.—</i>	<i>Mr Kemp &</i>
<i>Mr Blair.—</i>	<i>Mr Fitzhugh.—</i>

And they are to meet when they shall find it necessary, and to adjourn from day to day; And to take into their consideration all such Propositions & Grievances as shall come legally certified to this Session, and to report their proceedings with their opinions thereupon to the House from time to time. And all such Propos'ons & Grievances are to be deliver'd to the Clerk of this House by *Thursday* next, and none to be received after that time without the particular leave of the House: And he is to deliver the said Propos'ons & Grievances to the Com'ee of course. And the s'd Com'ee are to inspect the Journals of the last Session of the last Assembly, and to prepare and draw up a State of the matters then depending and undetermined, and the progress that was made therein, and to report the same to the House. And they are also to examine what Laws have expired since the last Session of the last Assembly, and to inspect such temporary Laws as will expire at the end of this Session of Assembly and Report the same to the House with their opinions which of them are fit to be revived or continued. And the Com'ee are to have power to send for persons, papers & Records for their information.—

Ordered, That the said Com'ee do draw up an Address to the Governor, and also an Address to the King, upon the Resolutions of the House.

The Orders of the last House of Burgeesses were, upon a Motion, read, and

Resolved, That the same be standing orders of this House.

Resolved, That fifteen Members with the Speaker shall be sufficient to meet & adjourn.

Resolved, That the Rever'd *Mr Fontaine* be appointed Chaplain to this House.

Order'd, That he do perform the duty of that Office every morning at 10. a clock in the Conference chamber.

And

And a meſſage was ſent to the Gov'r & Council to acquaint them therewith.

A petition of *Samuel Briggs* ſetting forth that a Negro Slave belonging to him was committed to the County-goal of *Surry* for Burglary, and having made his eſcape out of priſon, was afterwards apprehended by ſeveral perſons in the Counties of *Iſle-Wight* and *Henrico*, who had obtained Certificates thereof, in order to charge the petitioner with the Rewards allowed by Law for taking up Runawaies and praying that the ſame may not be allowed againſt him in the public Levy, was preſented to the Houſe and read.

Order'd, That the ſaid petition be refer'd to the conſideration of the Com'ee of Claims, and that they do examine the matter thereof, and report the ſame with their opinions thereon, to the Houſe.

Wm. Francis, Nicholas Wager, Wm. Johnson and John Mundel were appointed Doorkeepers to this Houſe and order'd to give their attendance as uſual.

Then the Houſe adjourn'd till to morrow morning 11. a clock.

Saturday, February 3, 1727.

Ordered—

THAT *Mr Eſcridge* be added to the Com'ee of Propoſ'ons & Grievances and that *Mr Syme* be added to the Com'ee of Claims.

Mr Harriſon reported That the perſons appointed had, according to order, drawn up an addreſs to be preſented to the Governor, which he read in his place, and afterwards deliver'd in at the Table, where the ſame was again read, & agreed unto by the Houſe, as follows.

Sir, We the King's moſt dutiful and loial Subjects the Repreſentatives of all the People of *Virginia* cannot ſufficiently expreſs the Joy with which our hearts are filled, to ſee ourſelves, by the goodneſs of Providence, under the Governm't of a Perſon in all reſpects qualified, for that important Truſt, which His Moſt Excellent Majeſty, with an equal Regard to your Merit and the Good of His Subjects here, hath been graciouſly pleaſed to place in You. The Character which in your private Life you had eſtabliſhed among all that knew you, reached us before your Arrival and afforded us a very agreeable Proſpect of the Happineſs we were to enjoy under Your Adminiſtration: But ſince we have had the pleaſure of ſeeing the Beauties of that Character illuſtrated by the Example of your Life in what concerns the duties of Religion your courteous & affable Behaviour to all that have occaſion to apply to you, your diſpoſition to Peace & good Neighbourhood, your Hoſpitality and Charity, and the Prudence & Evenneſs of your Temper, which you diſcover upon all occaſions, We have abundant Reaſon to think ourſelves a happy People, and not to wiſh for any thing more than that you may long continue to rule over this Dominion. Nor can we doubt but Example, which is the beſt of all Inſtruction, will have a great influence upon all that ſee you, to follow thoſe excellent rules you have been pleaſ'd to lay down in your Speech at the opening of this Affembly. For which we beg leave to return you our humble & moſt unfeigned thanks.

Reſolved, That the ſaid Addreſs be preſented by the whole Houſe.

Order'd, That the Com'ee who prepared the ſaid addreſs do wait upon the Gov'r to know when he will be attended by this Houſe.

A petition of fundry Freeholders of the County of *Northumberland* complaining of an undue Election and Return of *Mr Peter Preſly* to ſerve in this General Affembly as Burgeſs for the ſaid County, and of ſeveral undue Practices of the Sherif of the ſaid County in taking the Poll, and in proclaiming that the ſaid *Preſly* was choſen with a General Voice, ſoon after the Poll began, and afterwards telling the Freeholders That they could vote but for one perſon, in injury to *Robert Carter Junr Eſq* who was duly elected, and to the Petitioners, was preſented to the Houſe, and read.

Order'd, That the ſaid Petition be refer'd to the conſideration of the Com'ee of privil's & Elections, and that they do conſider the matter thereof, and report the ſame, with their opinion thereupon, to the Houſe.

Mr *Harrison* reported to the House, That the Governor had been waited upon, pursuant to the Order of the House, to know when he would be attended by this House: And that he was pleas'd to appoint *Monday* at twelve a clock in the Council Chamber. Then the House adjourn'd till *Monday* next 11 a clock.

Monday, February 5, 1727.

MR. *Speaker* reported, That the House had attended the Governor with their Address, to which he was pleas'd to give this Answer

Mr Speaker & Gentlemen of the House of Burgeffes,

I thank you for this very obliging Address; the great Joy you are pleas'd to exprefs for my Administration, shall alwaies meet with such returns as are due to so much Affection: The great pleasure this gives me is equal to the Evidence with which it is conveyed, and engages me to transcribe into my practice, every part, if possible, of this amiable Character, that the Union & Harmony between us may be as lasting as 'tis perfect.

Resolved, That Mr *Rich'd Hickman* be appointed Clerk of the Com'ee of Propos'ons & Griev's.

A petition of *Nicho. Jones* Clerk was presented to the House & read, praying that some more effectual provision may be made for compelling *Quakers* to pay parish levies.

Resolved, That the laws in force concerning the payment of Levies are as binding upon *Quakers* as other people, And that the said petition be Rejected.

The Order of the day being read, the House upon a motion resolved it self into a Com'ee of the whole House to consider the Governor's Speech, and after some time spent therein, Mr *Speaker* resumed the Chair, and Mr *Harrison* reported from the Com'ee, that they had had under their consideration all the parts of the Govr's Speech, and were come to several Resolutions thereupon, which they had directed him to report to the House, and he read the same in his place & afterwards deliver'd them in at the Table, where they were again read & agreed to by the House, as followeth.—

Resolved, That a Com'ee be appointed to inquire into the present condition of the Battery at Point *Comfort*, and the fittest place for the erecting a Battery there, and how far the same may be useful for the defence of the Country, and to make an Estimate of the charge of rebuild'g or repairing the same, and also to inquire how the said Battery hath heretofore been erected and maintained.

Resolved, That the erecting a Light House on Cape *Henry* will be of great use & is absolutely necessary for the preservation of the Shipping of *Virginia* and *Maryland*, and that a Bill be prepared accordingly.

Resolved, That a Com'ee be appointed to inquire into the methods of proceeding in the Courts of Justice, and the occasions of the delays therein: and to prepare a Bill for the amending the defects of the Laws now in force relating to the several Courts of the Colony, and for the expediting of Business.

Resolved, That a Bill be prepared for the better & more effectual improving the Staple of Tobacco.

Then the House adjourn'd till to morrow morning 11 a clock.—

Tuesday, February 6, 1727.

MR. *Harrison* reported from the Com'ee of Propos'ons & Grievances that they had had under their consideration the Propos'ons & Grievances of several Counties to them refer'd, and that they had agreed upon a Report, which he read in his place, and afterwards deliver'd it in at the Table, where the same was again read, and agreed to as follows *viz't*.—

Upon

Upon confideration of the petition of *Nathan Newby & Robert Jordan* in behalf of the people call'd *Quakers*, praying that they may be exempted from ferving in the Militia, and that their goods may not be expofed to fale when taken in Execution.

Resolved, That the faid petition be Rejected.—

Upon confideration of the feveral propos'ons from *Lancaster, Middlefex, and King & Queen* Counties, That a Law may be made for the deftroying of Squirrels & Crows.

Resolved, That the faid Propositions be Rejected.—

Upon confideration of a propos'on from *Lancaster* County, That a Law be made againft the Monopolies of Trade.

Resolved, That there are no Monopolies in this Colony, and that therefore it is not neceffary to make any Law concerning the fame.

Upon confider'on of a propos'on from *Spotfwilvania* County, That perfons may be fent to make a difcovery of the River *Sherando* & the Inhabitants thereon.

Resolved, That the faid propofition be Rejected.—

Upon confider'on of the petition of *John Edwards* & others, Inhabitants of *Ifle of Wight* County, That the day for holding Courts in the faid County may be altered.

Resolved, That the faid petition be Rejected.—

Upon confider'on of the petition of *Efdras Theodor Edzard* Clerk, Minifter of *Han-over* parifh in *King George* County, praying that the Veftry of the s'd parifh may be compelled to pay him for extraordinary fervices & boarding, and that the Laws concerning Glebe-Houfes may be explained.

Resolved, That the faid petition be Rejected.—

Upon confider'on of the petition of *William Thornton* & others, Inhabitants of *King George* County, againft Hogs going at large.

Resolved, That the faid petition be Rejected.—

A petition of *Gawen Corbin Richard Johnson & John Dixon*, Freeholders of the County of *King & Queen* was prefented to the Houfe & read, complaining of an undue Election of *John Robinson* Gent to ferve in this General Affembly as a Burgefs for the faid County.

Order'd, That the s'd petition be refer'd to the confider'on of the Com'ee of Privileges & Elec'ons and that they do examine the matter thereof, and report the fame with their opinions thereon, to the Houfe.

The Houfe being inform'd that it will be neceffary to examine a great number of Witneffes upon the matter of the faid complaint, who live very remote & cannot be brought down to *Williamsburg* without great Trouble & Expence.

Order'd, That *Wm. Todd Robert Baylor Henry Hickman & Rob. Dudley* Gent. Juftices of the peace for the County of *King & Queen*, or any two of them, do meet at the Courthoufe of the s'd County, upon fuch daies & times as fhall be by them agreed upon, and in the prefence of the parties examine all Witneffes that fhall be produced of either fide, and return their depofitions to the s'd Com'ee; and that the Sherif of the s'd County do fummon fuch perfons as fhall be named by either party to appear & give Evidence before the faid Juftices.

Order'd, That *Mr Tayloe* be added to the Com'ee of Propos'ons & Grievances.

Order'd, That *Mr Blair Mr Rob. Armistead Mr Hollier & Mr Rofcow* do inquire into the prefent condition of the Battery at *Point Comfort*, and the fitteft place for erecting a Battery there, and how far the fame may be useful for the defence of the Country, and to make an Eftimate of the charge of rebuilding or repairing the fame, and alfo to inquire how s'd Battery hath heretofore been erected & maintained, and that they have power to fend for perfons papers & records for their information.

A petition of fundry Inhabitants of *Norfolk* Town, whofe names are thereunto fubfcribed, was prefented to the Houfe and read, complain'g of great damages done to the Inhabitants of the s'd Town, by great numbers of Hogs which are fuffer'd to go at large in & about the fame, and praying relief therein.

Order'd,

Order'd, That leave be given to bring in a Bill to restrain Hogs from going at large in and about the said Town.

A petition of fundry persons who were formerly Vestry-men of the parish of *Wilmington* lately dissolved & annex'd to other parishes, praying that the Glebe, Books, Plate & other Ornaments belonging to the Church of the said parish may be sold, and the money distributed among the parishioners was presented to the House & read—

Resolved, That the said petition be Rejected—

Order'd, That leave be given to bring in a Bill for the selling the Glebe lately belonging to the dissolved parish of *Wilmington* afores'd, and for disposing of the money arising from the sale thereof, to pious uses; and that Mr *Blair* Mr *Eaton* & Mr *Eggleson* do prepare and bring in the same.

Mr *Esbridge* reported from the Com'ee of Privileges & Elec'ons that they had had under their consider'on the Forms of the Returns of several Writs for electing Burgesses to serve in this present General Assembly, and had agreed upon a Report, which he read in his place, and afterwards deliver'd it in at the Table, where the same was again read.

Resolved, That the House will take the said Report into consideration to morrow. Then the House adjourn'd till to morrow morning—11—a clock.

Wednesday, February 7, 1727.

A MOTION was made for appointing a Clerk to the Com'ee of Elec'ons & Privileges. And the question was put, that a Clerk be appointed to the s'd Committee.

It passed in the Negative.

The House according to order proceeded to the consider'on of the Report made yesterday from the Committee of Elections & Privileges, and the same being read, some amendments were made therein, and is as follows.

Upon consideration of the several Returns on the Writs for Elections of Burgesses to serve in this present General Assembly, It appears to this Com'ee, That the returns of the following Writs are made in the Form prescribed by Law, viz't.—

The Returns of the Writs for the Counties of *Henrico*, *Prince George*, *Surry*, *Isle of Wight*, *Nansemond*, *Norfolk*, *Princess Anne*, *Elizabeth City*, *Warwick*, *James City*, *Hanover*, *King William*, *Middlesex*, *Spotylvania*, *Westmoreland*, *Lancaster* and the Return for *James City* and that

It appears to this Com'ee, That the Returns of the following Writs are not made in the Form prescribed by Law, viz't.

The Returns of the Writs for the Counties of *Charles City*, *Glocester*, *King & Queen*, *Effex*, *King George*, *Richmond*, *New Kent*, *Stafford*, & *Accomack*.

Order'd, That the Sherifs of the Counties of *Charles City*, *Gloster*, *Effex*, *King George*, *Richmond*, *New Kent*, *Stafford* & *Accomack* be sent for in custody of the Serjeant at Arms attending this House, to amend their respective Returns afores'd.

The House being inform'd That the Sheriff of the County of *King & Queen* attended at the door, and prayed the leave of the House to amend his Return of the Writ for electing Burgesses to serve in this General Assembly for the said County, He was called in, and amended the same at the Table.

Mr *Harrison* reported from the Com'ee of Propos'ons & Grievances that they had, according to order, inspected the Journal of the last Session of the last Ass'y and had drawn up a state of the matters then depending & undetermined, and of the progress that was made therein, which he read in his place and deliver'd in at the Table, where the same was again read, and is as follows,

It appears by the said Journal.

"That the Attornies of Col. *Alexander Spotswood* were order'd to prepare an account how the money put into his hands by one Act of Affembly made in the year 1720, for erecting the Counties of *Spotsylvania & Brunswick* and granting certain Exemptions & benefits to the Inhabitants thereof, had been disposed of, and that they should lay the same before the House of Burgeffes at the then next Session of Affembly.

"That upon consider'on of the propos'on of *Alexander Forbes* Clerk That no vagabond Couple be suffered to cohabit under colour of a married state, without exhibiting credible Testimony to certify their marriage and the lawfulness thereof. It was

Resolved, That the same should be referred to the consider'on of the next Session of Affembly.—

"That it was *Resolved* That the Grievance complained of by the Inhabitants of *Accomack* County, occasioned by their then present Vestry should be refer'd to the consider'on of the next Session of Affembly, To the end the said Vestry might have an opportunity of justifying their proceedings.

"That it was *Resolved* That the propositions made to that Affembly by the Inhabitants of the County of *Spotsylvania* for laying out a Town on the lands of *Thomas Buckner & John Royston*, and also for laying out fifty acres of land on the mouth of *Maffaponax* Creek, to the end one other Town may be built in the said County, should be refer'd to the consider'on of the next Session of Affembly.—

"That a petition of fundry persons, whose names are thereunto subscribed, in behalf of themselves and the greater part of the Freeholders & Inhabitants of *Elizabeth City* parish complaining of great hardships they had for many years labor'd under by reason of certain persons assuming to themselves, without lawful Authority, & exercising in an unjust manner the power of Vestry-men of the s'd parish, and praying That the said Vestry might be dissolved, and the Inhabitants admitted to make choice of another Vestry, and that a new Church which they were about to build, might not be built in the place where they intended to build the same, it being remote from the greater number of the s'd Inhabitants, was order'd by that Affembly to be refer'd to the consideration of the next Session of Affembly.

Resolved, That the House will take the said Report into consider'on to morrow.

A petition of fundry Inhabitants of the parish & County of *Elis'a City*, whose names are thereunto subscribed, was presented to the House, and read, complaining that the present acting Vestry of the s'd parish, derive their Authority from persons who had no lawful power to chuse Vestry men, and that they are guilty of divers arbitrary & illegal proceedings in the Execution of their Office.

Resolved, That the House will take the s'd petition into consider'on when that part of the said Report from the Com'ee of Propos'ons & Grievances which relates to the same matter is consider'd.

A Complaint being made to the House that *James Wallace & Jacob Walker* Gent. two of the Justices of the peace for the County of *Elis'a City*, at a Court of Claims lately held in the said County, had refused to do their duty in certifying the said petition, which was presented to them by the Petitioners according to Law.

Order'd, That the s'd *James Wallace & Jacob Walker* be sent for in custody of the Serjeant at Arms attending this House, to answer the s'd complaint at the Bar of the House.

Mr Escribde reported from the Com'ee of Elections & Privileges, That they had had under their consider'on the petition of fundry Freeholders of the County of *Northumb'd* complaining of an under Election & Return of *Mr Presly* to serve in this General Affembly for the s'd County, and of several undue practices of the Sherif of the said County in taking the Poll, and had agreed upon a Report, which he read in his place, & afterwards delivered in at the Table, where the same was again read.

Resolved, That the House will take the said Report into consideration to morrow. Then the House adjourn'd till to morrow morning 11. a clock.

Thursday,

Thursday, February 8, 1727.

A PETITION of *Henry Briggs* was presented to the House & read, praying that he may be allowed his usual Salary for doing the Office of Interpreter to the *Nottoway* Indians from the 17th of *May* 1726 to the first day of this instant.

Order'd, That the s'd petition be refer'd to the consider'on of the Com'ee of public Claims, & that they do examine the matter thereof, & report the same with their opinions thereon to the House.

Mr Harrison reported from the Com'ee of Propos'ons & Grievances, That they had, according to order, inspected the temporary Laws, which are expired or near expiring, and had agreed upon a Report, which he read in his place & afterwards deliver'd it in at the Table, where the same was again read, & is as follows. *Viz't*

"It appears to the Com'ee That the *Act for settling the Fees of the Secretary County Court Clerks Sherifs Coroners & Constables and for the ascertaining the Fees of Attornies in a Bill of Costs*, will expire at the end of this Session of Assembly.

It is the opinion of this Com'ee That the s'd Act be continued & amended.

"That the Act for reviving the act intituled an act for security and defence of the Country in times of danger will expire on the twelfth day of *May* next.

It is the opinion of this Com'ee That the said Act be continued.

"That the Act for the better & more effectual improving the Staple of Tobacco will expire at the end of this Session.

But the House having Resolved that a Bill be prepared for the better and more effectual improving the staple of Tobacco, This Com'ee are come to no Resolution thereon.

Resolved, That the House doth agree with the said Committee.

Order'd, That a Bill be brought in for continuing & amending the Act for settling the Fees of the Secretary, County Court Clerks Sherifs Coroners & Constables, and for ascertaining the Fees of Attornies in a Bill of Costs, and also that a Bill be brought in to continue The Act for the better & more effectual improving the Staple of Tobacco, and it is refer'd to the Com'ee of Propos'ons & Grievances to prepare & bring in the said Bills.

Order'd, That the s'd Com'ee do prepare & bring in a Bill For the erecting a Light-House upon *Cape Henry*, also, a Bill for the better & more effectual improving the Staple of Tobacco, pursuant to the Resolutions of the House on *Monday* last.

Mr Harrison also reported from the Com'ee of Propos'ons & Grievances, That they had had under their consideration several propos'ons & Grievances from sev'al Counties, and had agreed upon a Report which he read in his place, and afterwards delivered it in at the Table, where the same was again read, & part of the said Report was agreed to by the House, as follows.

"Upon consider'on of several propos'ons from *James City, King & Queen, King William, Lancaster & Middlesex* Counties for repealing or amending the Act declaring the Law concerning Executions.

Resolved, That a Bill be brought in for amendment of the said Act.

"Upon consider'on of the several propos'ons from *King Wm. & Hanover* Counties, That the Clearing *Pamunkey* River may be a public charge.

Resolved, That the said Propositions be Rejected.

"Upon consider'on of the petition from *Spotsylvania* County, praying that a Town may be laid out at the lease land plantation upon *Rappahan'k* River in the said County.

Resolved, That a Bill be brought in for laying out the s'd Town accordingly.

"Upon consider'on of a propos'on from *James City* County That an Act be made against gaming.

Resolved, That a Bill be brought in to prevent Gaming.

"Upon consider'on of the Grievance from *Surry* County That the Act making *Negros* real Estate should not subsist any longer, and praying the same may be repealed or explained.

Resolved,

Resolved, That a Bill be brought in for explaining & amending the said Act.

"Upon consider'on of a propos'on from *Surry County*, That a Law may be made to enforce the penal Laws of this Country, and especially those against Immorality & Vice.

Resolved, That a Bill be brought in accordingly.

"Upon consider'on of the several propos'ons from *King Wm. & Hanover Counties* That Negroes be not permitted to keep Water mills and that the Toll be less'ned.

Resolved, That the s'd Propos'ons be Rejected.

"Upon consider'on of the petitions from *King & Queen* and *King William Counties* to be divided.

Resolved, That a Bill be brought in for erecting a new County on the heads of *Effex, King & Queen*, and *King Wm. Counties*, by a line to be run from the mouth of *Portobago Creek* to *Pamunkey River* paralel with the lower line of *Spotilw'a Co'ty*.

"Upon consideration of several propos'ons from *Westmoreland* and *Effex Counties*, That an Act be made to prohibit Mares from running at large, and that every person be obliged to keep their Horses & Mares on their own Land.

Resolved, That a Bill be brought in for the more effectual improving the breed of Horses.

And to one Vote of the s'd Com'ee, upon a propos'on from *Lancaster County*, That a Bill be brought in to lessen the Burgeffes Salaries, the House disagreed.

Order'd That the Com'ee of Propos'ons & Grievances do prepare & bring in the sev'l Bills, pursuant to the said Resolutions.

A petition of fundry Inhabitants of that part of the parish of *St. Peters*, which was formerly a part of the dissolved parish of *Wilmington*, whose names are thereunto subscribed, praying that a Chappel of Ease may be built in the s'd parish convenient to the Inhabitants of that part of the parish.

Also a petition of fundry Inhabitants of that part of the parish of *Blifland* which was formerly a part of the s'd dissolved parish of *Wilmington*, praying that that part of the parish may be united to the parish of the *St. Peters*, were severally presented to the House & read.

Resolved, That the said petitions be Rejected.—

Order'd That the Report from the Com'ee of Propos'ons & Griev's and the Report from the Com'ee of Elections & Privileges, refer'd to be consider'd to day, be further refer'd to be considered to morrow.

Mr Escribde reported from the Com'ee of Elec'ons & Privileges, that they had inspected the several Returns of the Writs for electing of Burgeffes to serve in this present General Assembly for the Counties of *York* and *Northampton*, and also the Return of the Writ for electing a Member for the City of *Williamsburg* and that the same were made in the form prescribed by Law.

The House was acquainted That *John Holloway Esq'r Speaker* of this House is return'd one of the Burgeffes for the County of *York*, and also a Member for the City of *Williamsburg*. But that *Mr Edward Tabb* for some time before & since the beginning of this Session had given out, that he intended to question his Election & Return for the s'd County: Whereupon due notice hath been given to the s'd *Tabb* of the time appointed by this House for presenting such complaints; and he hath been several times requested to lodge his petition accordingly, to the end the same might be speedily heard & determined. Which, notwithstanding the Order of the House, he hath refused to do, declaring that he would not prefer any petition until *Mr Speaker* should make his Election, for which of the s'd places he would serve, hoping thereby to oblige him to make his Election for the said City, so that a new Election for the County would follow of course.

Resolved Nem. Cont. That no petition of the s'd *Edward Tabb*, or of any other person in his behalf whereby to question the Election & Return of *John Holloway Esq'r Speaker*

of

of this Houfe to ferve in this General Affembly as a Burgefs for the County of *York* be received after the riling of the Houfe this day.

Order'd, That the s'd *John Holloway Efqr Speaker* of this Houfe do make his Elec'on to morrow for which of the faid places he will ferve.

Then the Houfe adjorn'd till to morrow morning 11. a clock.

Friday, February 9, 1727.

THE Houfe being inform'd that the Sherif of *Effex* attended at the door in cuftody to amend the Return of the Writ for electing of Burgefies to ferve in this prefent Gen'l Affembly for the s'd County.

Order'd That he do amend the faid Return.

Which was done accordingly, &

Order'd, That he be difcharged out of Cuftody, paying his fees.

Mr Speaker, according to Order, made his Election to ferve in this Gen'l Affembly as a Burgeff for the County of *York*.

Order'd, That *Mr Blair*, *Mr Laur. Smith*, *Mr Henry Wills*, *Mr Eaton* & *Mr Egglestone* do wait upon the Governor and defire that a new Writ may iffue for electing a Member to ferve in this Gen'l Affembly for the City of *Williamsburg*, in the room of *John Holloway Efqr.*—who hath made his Election to ferve for the County of *York*.

Mr Harriſon reported from the Com'ee of Propoſ'ons & Grievances that they had had under their confider'on feveral Propoſ'ons & Grievances from feveral Counties, and had agreed upon a Report, which he read in his place, & afterwards deliver'd it in at the Table, where the fame was again read, and agreed to, with an amendment, as follows,

“Upon confider'on of a Propoſ'on from *Northampton* County, That Copper money may be made currant in this Colony.

Refolved, That the faid Propoſition be Rejected.—

“Upon confider'on of feveral Propoſ'ons from *Northampton* & *Accomack* Counties That encouragement may be given for Killing Eagles Squirrels, and Crows.

Refolved, That the s'd Propoſ'ons be Rejected.—

“Upon confider'on of a propoſ'on from *Northampton* County That an Aët be made for the better preventing the tending of Seconds.

Refolved, That the fame may be properly confider'd by the Bill to be brought in for the better & more effectual improving the Staple of Tobacco.

“Upon confider'on of a Propoſ'on from *Accomack* County That Juſtices of the Peace may be impowered to determine any matter under Five hundred pounds of Tobacco or Fifty ſhillings.

“And of another Propoſ'on from the s'd County That upon the death of any Veftry man; the County may have a free Election of another.

Refolved, That the s'd Propoſ'ons be Rejected.—

“Upon confider'on of a Petition from *Henrico* County praying That the s'd County may be bounded Weſtward by a line beginning on the bounds of *Hanover* County to run down the Eaſt branch of *Tuckahoe* Creek called the deep Run and down the s'd Creek to the mouth thereof and a ſtreight line croſſing *James* River to the mouth of *Skin quarter* Creek on *Appomatox* River and that the Land Weſtward may be made a new County.

Refolved, That a Bill be brought in for dividing *Henrico* County.

“Upon confider'on of a Propoſ'on from *Hanover* County That an Aët may be made to prevent any abuſes in taring tobacco Caſk.

Refolved, That the fame is already ſufficiently provided for by Law.

Order'd, That it be an Inſtruction to the Com'ee to whom it is refer'd to prepare & bring in a Bill for the better & more effectual improving the Staple of Tobacco, to bring in a claufe for the better preventing the tending of Seconds.

Order'd,

Order'd, That the Com'ee of Propos'ons & Grievances do prepare & bring in a Bill for dividing the County of *Henrico*—

The House being informed That the Sherif of *New Kent* attended at the door in Custody, to amend the Return of the Writ for electing of Burgeffes to serve in this General Assembly for the s'd County.

Order'd, That he do amend the s'd Return—which was done accordingly.

Order'd, That he be discharged out of Custody, paying his Fees.

Order'd, That Mr *Francis Willis* be added to the Com'ee of Propos'ons & Grievances.

A Bill for further continuing the *Act intituled an Act for Security & defence of the Country in times of Danger*, was read the first time & Order'd to be read a second time.

A petition of *Charles Kymball* was presented to the House & read praying that he may be allowed his usual Salary for doing the Office of Interpreter to the *Sappony* Indians, from the 17th day of *May* 1726. to the first day of this instant

Order'd, That the s'd Petition be refer'd to the consider'on of the Com'ee of public Claims, and that they do examine the matter thereof, and report the same with their Opinions thereon to the House.

The House according to Order proceeded to the consider'on of the Report made by the Com'ee of Elec'ons & Privileges in relation to the *Northumberl'd* Election, and the same was read, & is as follows.

"The Com'ee having had under their consider'on the petition of Forty nine Freeholders of the County of *Northumberland* whose names are thereunto subscribed; complaining of an undue Election & Return of Mr *Peter Presly* to serve in this Gen'l Assembly as Burgefs for the s'd County, and of several undue practices of the Sherif of that County in taking the Poll.

They do report the matter of the s'd complaint as it doth appear to them, as followeth.

"That at the Election of the s'd County the 23d day of *January* 1727 Mr *Presly*, Mr *Ball*, the fitting Members, & Mr *Carter* & Mr *Neal* were Candidates. After reading the Writ, the Candidates went into the Court House, and a number of people in the Court cried out for Mr *Presly*, who asked, if any body opposed him, or otherwise he said he thought he might be return'd by a general Voice; to which none of the Voters objected, so he was proclaimed. After which some of the Candidates seem'd to be dissatisfied, & desired to have a Poll, Mr *Carter* complaining that this way of proceeding was very irregular, for that, tho the Sherif by law might return upon a View, yet it was impossible to determine the Election that way, unless Mr *Presly* would draw all his votes together. Upon which Mr *Presly* agreed a Poll should be taken: And after the names of about twenty Freeholders were set down in the Poll for Mr *Presly*, which exceeded the number of Votes for any other Candidate considerably several others of Mr *Presly*'s Voters voted only for one person, and when they were told that they ought to give two votes, Mr *Presly* said they would run the hazard of being fined, then they said they would give their other vote afterwards; Then Mr *Presly* moved That he might be returned with the general Voice saying That no body had poll'd against him, and the Candidates agreed to it: He told the Sherif to ask, if any body opposed it, & no body saying any thing against it, the Sherif went out, & proclaimed Mr *Presly* chosen a Burgefs the second time. After this, the Poll went on for the other Candidates and several persons came in & offer'd to give their Votes for two persons, but were told by the Sherif, They could vote for but one, since Mr *Presly* was already proclaimed: And it appears by the Poll; that there is but one or two that gave two Votes, and one of them was at first refused, but insinuating upon his Right, he was admitted to vote for Mr *Ball* & Mr *Carter*: and it appears that another person told the Sherif, he would have two votes, & that it was not in his power to hinder him: The Sherif bad him be gone, the Man answer'd, he would not be gone, for he had a Right to stand there; upon which the Sherif told him, he would break his Head, and he answer'd he would break the Sherif's head; but was admitted to give but one Vote. It further appears to the Com'ee, That a great many Freeholders were dissatisfied with

with this proceeding, and that near Fifty Freeholders were refused the liberty of giving two votes, & several of them declared they would vote for M^r Carter if they might be admitted, and two Freeholders would give no vote, because they were not admitted to vote for more than one.

And thereupon the Com'ee do Resolve—

“That the Poll at the s'd Election was not regularly taken accord'g to the methods prescribed by Law and that M^r Presly & M^r Ball are not duly elected to serve as Burgeffes in this present General Assembly for the County of *Northumberland*.

Order'd, That the fitting Members have leave to offer what they have to say, & then withdraw.

And they did accordingly severally stand up in their places & deliver'd what they had to say in maintenance of their Elec'on, & then withdrew.

Upon a Motion the House resolved it self into a Com'ee of the whole House to consider the s'd Report. And after some time spent therein M^r Speaker resumed the Chair, and M^r Harrison reported from the Com'ee, That they had consider'd the several Facts stated in the s'd Report, and were of opinion, That the Resolution of the s'd Com'ee thereupon, be not agreed to.

Resolved, That this House doth not agree to the Resolution of the Com'ee of Elec'ons & Privileges, That the Poll at the s'd Election was not regularly taken according to the methods prescribed by Law, and that M^r Presly & M^r Ball are not duly elected to serve as Burgeffes in this pres't Gen'l Assembly for the County of *Northumberland*.

Resolved, That M^r Presly & M^r Ball are duly elected to serve as Burgeffes in this present Gen'l Assembly for the County of *Northumberland*.

Order'd, That the Report of the Com'ee of Propos'ons & Griev's refer'd to be consider'd to day, be further refer'd to be consider'd to morrow.

Then the House adjourn'd till to morrow morning. 11 a clock.

Saturday, February 10, 1727.

Ordered—

THAT M^r Crawford have leave to be absent from the service of the House till Wednesday next.

Order'd, That M^r Mead have leave to be absent from the service of the House 'till Thursday next.

A Bill for further continuing the Act intituled *an Act For Security & defence of the Country in times of danger*, was read a second time.

Order'd, That the Bill be ingrossed.

A petition of Henry Embry, William Wynne & Richard Burch was presented to the House and read, praying that they may be rewarded for their Trouble & the hazard they run in apprehending two Negro Slaves belong'g to M^r Henry Maynard, who after murdering their Master in a very barbarous manner, armed themselves and fled.

Order'd, That the s'd petition be refer'd to the consider'on of the Com'ee of public Claims, and that they do examine the matter thereof, and report the same with their opinions thereon, to the House.

Order'd, That M^r Attorney General be added to the Com'ee of Propos'ons & Griev'ces.

Order'd, That a Committee for Courts of Justice be appointed of the following persons.

M^r Attorney General—

M^r Conway—

M^r Tayloe.

M^r Escribidge—

M^r Kemp.

M^r Blair.

M^r Meriwether.

And they are to fit in the Clerk's Office, and to inquire into the methods of proceeding in the Courts of Justice and the occasions of the delays therein, and to prepare a Bill for amending the defects of the Laws now in force relating to the several Courts of the Colony,

Colony, and for the expediting of Buſineſs: And the Com'ee are to appoint a Clerk to attend them, and to have power to ſend for perſons, papers & Records for their information.

The Houſe being acquainted That Mr *Jacob Walker* & Mr *James Wallace* attended at the door in Cuſtody, to anſwer at the Bar of the Houſe a Complaint made againſt them for refuſing to do their duty, as they are Juſtices of the Peace for the County of *Elis'a City* in certifying a Grievance of ſeveral Inhabitants of that County, which was regularly preſented to them at a Court held before them & others for that purpoſe: They were brought to the Bar and Mr *Speaker* by the Order of the Houſe, acquainted them with the matter of the Complaint, and required them to give their Reaſons, why they refuſed to do their duty on this occaſion.

Whereupon Mr *Walker* ſpoke to this effect.

"Mr *Speaker*

We underſtand we are brought hither to anſwer a Complaint againſt us, for not doing our duty in certifying a petition preſented to us, as the Grievance of the People, at a Court held in our County for certifying public Claims & Grievances, purſuant to a Law of this Colony.

We do acknowledge, a petition to which many names were ſubſcribed was preſented to us by Mr *Robert Armistead* and one *Michael King*, who inſiſted to have it certified according to Law.

We read the petition, and found that, except the five firſt Subſcribers, none of the names were written with the proper handwriting of the perſons whoſe names were there ſubſcribed, and that one of the perſons who preſented the petition had not ſign'd his name to it; And beſides, we knew that every part of the petition was groundleſs & falſe, and contain'd a very unjuſt Reflection upon us that were Veſtry men of the pariſh, and that it did likewiſe in ſome meaſure arraign the Adminiſtration of the Government here, for that particular matter which concern'd the placing of the Church was determined by the Governor & Council, upon hearing of all parties.

We conſider'd the Law by which we were bound to certify Grievances, which is very expreſs, that all Grievances to be certified muſt be ſign'd by the perſons preſenting the ſame, which we acquainted Mr *Armistead* with; And for want of his name and becauſe we were well ſatiſfied that the Subſcriptions were not genuine, we refuſed to certify it.

We can anſwer for ourſelves that we acted herein very impartially & with a conſcientious Regard to the Law and our Duty: And if we have been miſtaken, it was an Error of our Judgment, for which we hope we ſhall not be cenſured."

And then they withdrew, & after ſome time were called in again,

And Mr *Speaker* by the Order of the Houſe acquainted them, That it was the opinion of this Houſe, That they had been guilty of an Error in refuſing to certify this petition; for that it was no part of their Buſineſs to inquire into the matter of it, & they ought to have purſued the Law, notwithstanding one of the perſons who preſented it, was not a Subſcriber: But that the Houſe was diſpoſed to deal as favorably with them as poſſible, and had Order'd them to be diſcharged out [of] Cuſtody, paying Fees.

Then the Houſe according to Order proceeded to the conſider'on of the Report of the Com'ee of Propoſ'ons & Griev's touching ſeveral matters refer'd by the laſt Seſſion of the laſt Aſſembly to the conſider'on of this preſent Seſſion.

And the ſ'd Report was read, together with the petition of fundry Inhabitants of the Pariſh & County of *Elis'a City* complaining of the illegal Conſtitution of their preſent Veſtry, and of their arbitrary & unjuſtifiable proceedings.

Order'd, That Mr *Greene*, the Agent & Attorney of Col'o *Spotſwood*, do lay before this Houſe by Monday fortnight, an Account how the mony put into his hands by an Act of Aſſ'y made in the year 1720, for erecting the Counties of *Spotſylvania* & *Brunſwick*, & for granting certain exemptions & benefits to the Inhabitants thereof, hath been diſpoſed of.

Order'd,

Order'd, That it be an Instruction to the Com'ee to whom it is refer'd to prepare & bring in a Bill to enforce the penal Laws of this Colony & especially those againſt Vice & Immorality, to bring in a Claufe to prevent Vagabonds cohabiting as Man & Wife, unleſs they can produce ſome ſufficient Teſtimony of their being lawfully married.

Order'd, That leave be given to bring in a Bill for diſſolving the preſent Veſtry of the Pariſh of *Accomack* in the County of *Accomack*, and for chuſing a new Veſtry for the ſaid Pariſh.

Order'd, That the petition of the Inhabitants of the pariſh of *Elis'a City*, preſented to the laſt Seſſion of the laſt Aſſembly, complaining of their Veſtry, which was refer'd to the conſider'on of this Seſſion of Aſſembly, and alſo the petition of the ſ'd Inhabitants preſented to this Houſe, touching the ſame matter, be refer'd to the conſider'on of the Com'ee of Propoſ'ons & Griev's, and that they do examine the Allegations of the ſ'd petitions, and report the matter as it ſhall appear to them, with their Opinions thereon, to the Houſe.

Order'd, That both parties have leave to be heard by themſelves, or their Council, before the ſ'd Com'ee, upon the matter of the ſ'd Petitions.

Then the Houſe adjorn'd till *Monday* morning 11. a clock.

Monday, February 12, 1727.

THE Houſe being inform'd That the Sherif of the County of *Gloceſter*, and the Sherif of the County of *Charles City*, attended at the door in Cuſtody, to amend their reſp've Returns of the ſeveral Writs for electing of Burgeſſes to ſerve in this preſent General Aſſembly for the Counties aforeſ'd—

Order'd, That they do amend their ſaid Returns.

Which was done accordingly.

Order'd, That they be diſcharged out of Cuſtody, paying Fees.

A motion was made for leave to preſent a petition of fundry Freeholders of the County of *Westmorland*, complaining of an undue Election & Return of Mr *Thomas Lee* and Mr *George Eſcridge* to ſerve as Burgeſſes in this General Aſſembly for the ſaid County.

And after a debate the Queſtion was put

That the ſaid petition be received.

Resolved in the Affirmative

And the ſame was read.

Order'd, That the ſ'd petition be refer'd to the conſider'on of the Com'ee of Privileges & Elec'ons and that they do examine the matter thereof, and report the Same with their opinions thereon, to the Houſe.

A Bill intituled *an Act for further continuing the Act intit'd an Act for Security & defence of the Country in times of Danger*, was read the third time.

Resolved, That the Bill do paſs.

Order'd, That the Com'ee who prepared the ſaid Bill do carry the ſame to the Council and deſire their Concurrence thereto.

Order'd That it be an Inſtruction to the Com'ee to whom it is refer'd to prepare & bring in a Bill for the better & more effectual improving the Staple of Tobacco to bring in one or more Claufe or Clauſes for limiting the number of plants hereafter to be planted.

Then the Houſe adjorn'd till to morrow morning— 11. a clock.

Tuesday, February 13, 1727.

Order'd,

THAT Mr *Kemp* be added to the Com'ee of Privileges & Elections.

A petition of *Henry Scarburgh* was with the leave of the Houſe preſented & read, complaining of an undue Election of Mr *Andrews* & Mr *Parker* to ſerve as Burgeſſes for the County of *Accomack*, in injury to the Petitioner.

Order'd,

Order'd, That the s'd petition be refer'd to the Consider'on of the Com'ee of Privileges & Elections, and that they do examine the matter thereof, and report the same, with their Opinions thereon, to the House.

Mr Andrews, a Member of this House complained to the House, that he had been grossly abused & affronted this day, by one *Edward West*, in breach of the Privilege of this House.

Order'd, That the s'd *Edw. West* be taken into Custody of the Serjeant at Arms attending this House, and that he answer the s'd complaint at the Bar of the House.

Mr Attorney General reported from the Com'ee of Propos'ons & Griev's, that they had, according to Order, prepared an Address to the King, which they had directed him to report to the House, & he read the same in his place, and afterwards deliver'd it in at the Table, where it was again read, & agreed to.

Order'd, That the s'd Address be fairly transcribed and a Blank left for the Council, and that the Com'ee of Propos'ons & Griev'ces do carry the same to them, and desire their Concurrence thereto.

A petition of *John Tyler* was presented to the House & read, praying to be allowed some recompence for his Service in overfeeing the building and finishing the Magazine & the two wings of the Church, which were built by the Donation of the General Assembly.

Order'd, That the s'd petition be refer'd to the consider'on of the Com'ee for Public Claims, and that they do examine the matter thereof, and report the same with their Opinions thereon, to the House.

Mr Esbridge reported from the Com'ee of Privileges & Elections, that they had had under their consider'on the petition & complaint of *Henry Scarburgh* against the Election for the County of *Accomack*, that they had examined several Witnesses touching the matter of the said complaint, and heard the parties thereupon, and that none of the Allegations of the petition were sufficiently proved, and that they were come to a Resolution thereupon, which he read in his place & afterwards deliver'd it in at the Table, where the same was again read, & agreed to by the House, as follows—

Resolved, That *Mr William Andrews* and *Mr Sacker Parker* are duly elected to serve as Burgesses in this General Assembly for the County of *Accomack*.

Then the House adjorn'd till to morrow morning 11 a'clock.

Wednesday, February 14, 1727.

Order'd,
THAT *Mr Dangerfield* have leave to go home on extraordinary occasions.

Order'd, That *Mr Boujh* have leave to be absent from the service of the House til *Monday* next.

Mr Harrison reported from the Com'ee of Propos'ons & Griev'ces That they had had under their consider'on a petition of the *Bristol* Iron-mine Company, to be exempted from paying Taxes, and had come to a Resolution thereon, which he read in his place, & afterwards deliv'd it in at the Table, where the same was again read & agreed to as follows.

Resolved, That some Encouragements be given to Adventurers in Iron-works, and that a Bill be brought in for that purpose.

Order'd, That the said Com'ee do prepare & bring in the said Bill—

A petition of fundry Inhabitants of the County of *Northumberland*, whose names are thereunto subscribed, was presented to the house & read, complaining that by the bounds lately establish'd between the s'd County and the County of *Lancaster*, they are taken into two parishes, in the County of *Lancaster*, whereby they are become very remote from their parish Churches, whereas before they were reputed Inhabitants of *Wiccocomico* Parish in the County of *Northumberland*, where they were conveniently situated for the Church of that Parish, & praying that they may be continued in the s'd parish of *Wiccocomico*.

Order'd,

Order'd, That the s'd petition be refer'd to the consider'on of the Com'ee of Propos'ons and Griev's, and that they do examine the matter thereof, and report the same, with their opinions thereon, to the Houfe.

A Bill for preventing of Exceffive and deceitful gaming.

Alfo, a Bill for dividing the County of Henrico.

Alfo, a Bill to prevent Swine running at large within the limits of the Town of Norfolk.

Alfo a Bill for diffolving the prefent Veftry of the parifh of Accomack, and for appointing a new Election of Veftry-men.

Were feverally read the firft time and order'd to be read a fecond time.

The Houfe being inform'd That *Edward Weft* attended at the Door in Cuftody & pray'd to be admitted humbly to acknowledge his Offence in affronting Mr *Andrews*, a Member of this Houfe yefterday in breach of the Privilege of this Houfe, for which he was heartily forry.

He was called in, & kneeling at the Bar, was, by the order of the Houfe, reprimanded by Mr *Speaker*, and upon his knees asked pardon of Mr *Andrews*, and of this Houfe.

Order'd, That the laid *Edward Weft* be difcharged out of Cuftody, paying Fees.

A Meffage was deliver'd from the Council That they do concur with this Houfe in the Addrefs to His Majefty, and that one of their number had fign'd the fame in behalf of the reft, which Addrefs is as follows.

MOST GRACIOUS SOVERAIN.

Your Majefty's moft dutiful & loial Subjects the Council and Burgeffes of your antient Colony of *Virginia* humbly preſume upon this firft occaſion of our meeting in a General Affembly to condole with your Majeſty upon the Death of your late Roial Father of bleſſed & glorious Memory, which afflicted us in no leſs a degree than the loſs of ſo good & ſo renowned a King muſt neceſſarily affect a dutiful & a grateful People. But when at the ſame time we heard that Your Majeſty was placed in Peace upon Your Throne, when we ſaw all Orders & Conditions of Men haſtening to acknowledge Your undoubted Right & Title, declaring the juſt Senſe they have of thoſe many Roial Virtues, the greateſt Ornament of Princes, which are ſo conſpicuous in Your Majeſty, and add the brighteſt Luſtre to the Crown upon Your Head, and all Factions & Parties as it were at length confeſſing themſelves convinced that the Intereſt & Security of the Britiſh Nation are inſeparable from Your Illuſtrious Houſe, it was impoſſible that our Sorrow ſhould not be turned into Gladneſs.

And the Meaſure of our Joy is filled when we behold that Moſt Excellent Perſon, Our Gracious Queen, abounding in all the Virtues which are neceſſary to finiſh the moſt diſtinguiſhed Character, & educating with a pious Care her Roial Iſſue, in principles perfectly adapted to the *Engliſh* Conſtitution.

It is the peculiar Happineſs of this Country, that we are more than any other of the *American* plantations united in the Religion of the Church of *England*; and our Civil Rights & Liberties are ſecured to us by the ſame excellent Laws which have ever been the Boaft of the *Engliſh* Nation, and have made them greater than any other People: Therefore it merits our moſt thankful acknowledgements that Your Majeſty has been pleaſed to declare Your Reſolution to make the Eſtabliſhment in Church & State Your firſt and alwaies Your chief Care.

AND as we have alwaies been happy under the Protection & Government of the Crown of *England*, ſo we already at this diſtance feel the extenſive Influence of Your Majeſty's juſt & wiſe Councils, in placing over us Mr *Gooch* Your Majeſty's Lieutenant Governor, who as he repreſents Your Sacred Perſon in Your Authority, ſo he imitates Your Majeſty's Piety, Moderation & Juſtice: From whence we have no room to doubt but his Adminiſtration will alwaies be acceptable to Your Majeſty, and eaſie to all Your People here.

MAY the God of Heaven long continue to your ſelf, to your Roial Confort, and all Your Subjects, that valuable Life on which the public Weal ſo much depends. May there

there never want one of Your Roial Line to fit on the Throne of *Great Britain*, and may Your Majesty & Your Roial Family be revered while on Earth, & afterwards recorded in Hiftory with greater Fame & Glory than Your Roial Predeceffor from whom this Colony has it's Name—

Order'd, That the Com'ee of Propos'ons & Grievances do wait on the Governor to know when he will be attended by this Houfe with the s'd Addrefs.

And the faid Addrefs was fign'd by the Speaker.

Then the Houfe adjorn'd till to morrow morning 11 a clock.

Thursday, February 15, 1727.

THE Houfe being inform'd that the Sherif of the County of *Richmond*, and the Sherif of the County of *King George*, attended at the Door in Cuftody to amend their refpective Returns of the feveral writs for electing Burgeffes to ferve in this General Affembly for the Counties aforefaid.

Order'd, That they do amend their faid Returns, which was done accordingly.

Order'd, That they be difcharged out of Cuftody, paying Fees.

A Bill to enable William Farrar & Thomas Farrar to fell & convey certain intailed lands, and for fettling other lands & Negros of greater value to the fame ufes, was read the firft time & ord'd to be read a 2d time.

Order'd, That Mr *Lee*, Mr *H Armistead* & Mr *Francis Willis* be added to the Committee for Courts of Juftice.

And that Mr *Lee* be alfo added to the Com'ee of Propos'ons & Grievances.

The Houfe being acquainted That the fum of fixty pounds was by the order of the Gen'l Affembly held in the year 1720. paid to the Rever'd *James Blair* Clerk, *Henry Cary* & *Robert Cobbs* Church Wardens of the parifh of *Bruton* in the Counties of *York* and *James City*, for the defraying the charges of a Law-fuit between the then Lieutenant Gov^r and the Veftry of the faid parifh, concerning the Advowfon of the Church of the s'd Parifh, and that they the Survivor of them were to render an account upon Oath, when thereunto required, how the mony fhould be difpofed of.

Order'd, That the Reverend *James Blair* & *Henry Cary* the Survivors of the s'd Truftees, do lay an account before this Houfe, how the s'd fum of mony has been difpofed of, and that the Clerk of this Houfe do fend them notice of this Order.

A Bill for dividing the County of *Henrico* was read the fecond time & committed.

A Bill to prevent Swine running at large within the limits of the Town of *Norfolk* was read the fecond time & order'd to be ingroffed.

A Bill for diffolving the prefent Veftry of the parifh of *Accomack* and for appointing a new Election of Veftry men, was read the fecond time & committed.

Then the Houfe adjorn'd 'till to morrow morning 11. a clock.

Friday, February 16, 1727.

MR. *Harrifon* reported, That the perfons appointed had, according to order, waited on the Governor, to know when he will be attended with the Addrefs of the Council & this Houfe to His Majesty, and that he was pleas'd to appoint this day at one of the Clock in the Council Chamber.

Order'd, That Mr *Tayloe* have leave to be abfent from the fervice of the Houfe 'till *Thursday* next.

A Meffage from the Governor was deliver'd by Mr *Robertfon*

That the Governor was now ready in the Council Chamber to receive the Addrefs of the Council and of this Houfe to His Majesty.

And

And Mr *Speaker* reported That the Council & this House had attended the Governor with their addresse to His Majesty, and that after Mr *Speaker* had read it, the Gov'r received it & was pleas'd to say,

"Being convinced that these Professions of Duty & Loyalty are the Sentiments of all the People of this Colony, He should take particular Care that this Address be presented to His Majesty in the best manner, that His Majesty may know how faithful & affectionate His Subjects of this Dominion are to His Person, Family and Government."

A Bill for *killing Squirrels & Crows in the Counties of Accomack & Northampton* was read the first time & order'd to be read a second time.

A Bill to *enable Wm. Farrar & Tho^s. Farrar to sell & convey certain intailed lands, and for settling other lands & Negroes of greater value to the same uses*, was read the second time & committed.

Mr *Attorney General* reported from the Com'ee to whom the Bill for *dissolving the present Vestry of the parish of Accomack and for appointing a new Election of Vestry men*, an amendment made by the Com'ee to the Bill, which he read in his place, & afterwards deliver'd the Bill with the Amendment in at the Table, where the s'd Amendm't was read & agreed unto by the House.

Order'd, That the Bill with the Amendment be ingrossed.

A Bill for *preventing of excessive & deceitful gaming*, was read the second time, and committed.

A Bill intituled *an Act to prevent Swine running at large within the limits of the Town of Norfolk*, was read the third time.

Resolved, That the Bill do pass.

Order'd, That Mr *Braxton* Mr *Crawford* & Mr *Muscoe* do carry the said Bill to the Council for their Concurrence.

Mr *Commissary Blair's* account of the money given by the General Assembly for determining the Right of Patronage of the Parish Church of *Bruton*, was laid before the House and read.

Ordered, That the said account do lie upon the Table.

Then the House adjourn'd till to morrow morning 11—a clock.

Saturday, February 17, 1727.

THE House being informed that the Sherif of *Stafford* by reason of Sicknefs is unable to travel, & cannot attend to amend the Return of the Writ for electing of Burgeffes to serve in this General Assembly for the s'd County & that the under-Sherif attended in his behalf & pray'd to be admitted to amend the same.

Order'd, That the under Sherif of the County of *Stafford* do amend the s'd Return. Which was done accordingly.

Mr *Kemp* reported from the Com'ee to whom the Bill for *preventing of excessive & deceitful Gaming* was committed, several amendments made to the Bill, which they had directed him to report to the House & he read the same in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table where the s'd amendm'ts were read.

Order'd, That the said Report do lie upon the Table.

A Bill for *killing Squirrels & Crows in the Counties of Accomack & Northampton* was read the second time & committed.—

A Bill intituled *an Act for dissolving the present Vestry of the parish of Accomack & for appointing a new Election of Vestry men*, was read the third Time.

Resolved, That the Bill do pass.

Order'd, That Mr *H. Willis*, Mr *Andrews*, Mr *Parker*, Mr *Bowdoin* & Mr *Marshall* do carry the s'd Bill to the Council for their Concurrence.

Then the House adjourn'd till Monday morning, 11. a clock.

Monday,

Monday, February 19, 1727.

A PETITION of *Elizabeth Barnet* Widow was presented to the House & read, praying to be allowed in the public Levy one thousand pounds of tobacco, which the County of *Gloster* had Credit for in the last public Levy, by persons who were not Inhabitants of that County, & was disbursed by *Wm. Barnet* dec'd, her late Husband who collected and paid the said Levy.

Order'd, That the s'd Petition be refer'd to the consider'on of the Com'ee of public claims, and that they do examine the matter thereof, and report the Same, with their opinions thereon to the House.

Mr Clayton reported from the Com'ee to whom the Bill for dividing the County of *Henrico* was committed, several amendm'ts made by the Com'ee to the Bill, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the s'd amendm'ts were read & agreed unto by the House.

And several Blanks in the Bill were filled up.

Order'd, That the Bill with the amendments be ingrossed—

Mr Clayton reported from the Com'ee of Propos'ons & Griev'ces, that they had had under their consider'on a petition of several Inhabitants of *Elizabeth City* Parish to the last Assembly, and of another petition from other Inhabitants of the s'd Parish to this Assembly, praying, that the present Vestry of the s'd parish may be dissolved & that they may have liberty to chuse a Vestry according to Law; and that the Com'ee had agreed upon a Report, which he read in his place & afterwards deliver'd it in at the Table where the same was again read—

Order'd, That the said report do lie upon the Table.—

The House was called over, & all the absent Members were excused.

Order'd, That the ballance of *Mr Commissary Blair's* account of the money given for determining the Right of Patronage of the Church of the Parish of *Bruton* being £31 7 2 be paid to *John Holloway Esq^r* Treasurer.

Order'd, That the Treasurer do lay his accounts before the House.

Then the House adjorn'd till to morrow morning 11. a Clock.

Tuesday, February 20, 1727.

A BILL for encouraging Adventurers in Iron Works was read the first time & order'd to be read a second time.

A Bill intituled an Act for dividing the County of *Henrico*, was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the said Bill to the Council for their Concurrence.—

The House proceeded to the consider'on of the amendm'ts made to the Bill for preventing excessive & deceitful Gaming and the amendm'ts were read, & some of the s'd amendm'ts were agreed unto, & some of them were disagreed unto by the House, & some other amendm'ts were made to the Bill.

Order'd, That the Bill with the amendm'ts be ingrossed—

A Bill for the more effectual improving the Breed of Horses & for preventing the importation of Horses from the neighbouring plantations, was read the first time, and order'd to be read a second time.

A petition of *Godfrey Pole* was presented to the House & read, praying to be restored to the Office of Clerk of the Com'ee of Propos'ons & Griev'ces, in which he has served
near

near ten years, he being hindered in the beginning of this Session from applying for the fame, by bad Weather & Sickness.

And the House being inform'd that Mr *Hickman* is willing to resign the s'd Office to Mr *Pole*, he was appointed accordingly.

Then the House adjourn'd till to morrow morning 11. a Clock.

Wednesday, February 21, 1727.

A BILL for encouraging Adventurers in Iron Works was read the second time & order'd to be ingrossed.

A Bill for erecting a new County on the heads of Effex King & Queen and King Wm. Counties, was read the first time & ord'd to be read a 2d time.

Mr *Kemp* reported from the Com'ee to whom the Bill for killing Squirrels & Crows in the Counties of Accomack & Northampton was committed, an amendment made to the Bill, which they had directed him to report to the House, & he read the Report in his place & afterwards deliver'd the Bill with the amendment in at the Table, where the s'd amendment was read, & with some amendments was agreed to by the House.

Order'd, That the Bill with the amendment be ingrossed.—

A Bill for the more effectual improving the Breed of Horses & for preventing the importation of Horses from the neighbouring plantations was read the second time and rejected.

Mr *Blair* reported from the Com'ee appointed to inquire into the present Condition of the Battery at Point Comfort, & the fittest place for erecting a Battery there, & how far the same may be useful for the defence of the Country, and to make an Estimate of the charge of rebuilding or repairing the same, & also to inquire how the s'd Battery hath heretofore been erected & maintained, had agreed upon a Report upon the matters to them refer'd which he read in his place & afterwards deliver'd it in at the Table, where the same was again read.

Order'd, That the said Report do lie upon the Table.

Then the House adjourn'd till to morrow morning 11. a clock.

Thursday, February 22, 1727.

A BILL intituled an Act for encouraging adventurers in Iron-Works, was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the said Bill to the Council for their Concurrence.

The Treafurer laid his Accounts of the Duty upon liquors before the House, which were order'd to lie upon the Table.

A Bill intituled an Act for Killing Squirrels & Crows in the Counties of Accomack & Northampton, was read the third time.

Resolved, That the Bill do pass.

Order'd, That Mr *Whitehead* Mr *Marshal* Mr *Bowdoin* Mr *Andrews* & Mr *Parker* do carry the Bill to the Council for their Concurrence.

A Bill intituled an Act for preventing excessive & deceitful gaming was read the third time & an amendment was made to the Bill at the Table.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council for their Concurrence.

A Message was brought from the Council, That they have made some amendments to the Bill intituled an Act for further continuing the Act intituled an Act for security & defence of the Country in times of danger, to which they desire the Concurrence of this House.

Order'd,

Order'd, That M^r John Bolling have leave to be absent from the service of the House 'till Tuesday next.

A petition & Proposals of William Parks for printing a complete body of the Laws of this Colony now in force, and also the Laws to be made hereafter from time to time, was refer'd by the Governor & Council to the consideration of this House, and was read.

Resolved, That it will be of public use and benefit to print & publish a Complete Body of the Laws of this Colony now in force.

Order'd, That the Speaker of this House, M^r Clayton & M^r Blair Members of this House, M^r Randolph Clerk of this House & M^r Robertson Clerk of the Council, or any three of them, be appointed to agree with the s^d Wm. Parks for the printing a Complete Body of the Laws of this Colony, and to take a certain number of Books, to be distributed at the public charge, among the Governor, Council, Burgesses & several Justices of the Peace of this Colony.

A Bill to prevent Losses to Exor's & Adm^rs by the sale of Negros, goods and chattels taken in Execution, For amending the Law in relation to Exor's & Adm^rs, For maintaining Actions of Account against Exor's & Adm^rs by one Jointenant & Tenant in Common against another Jointenant & Ten^t in Common their Ex^rs, & Adm^rs, For empowering Fathers to dispose of the Custody & Tuition of their Children, And for the better managing & securing Orphans Estates, was read the first time and order'd to be read a second time.

The House proceeded to the consider'on of the Report of the Com^{ee} of Propos^{ons} & Griev^{ces} made upon the several petitions of the Inhabitants of the Parish & County of Elizabeth City to them refer'd, and the Resolution of the s^d Com^{ee} thereupon was read, and upon the Question was agreed unto by the House, as follows.

Resolved, That a Bill be prepared for dissolving the present Vestry of the parish of Elizabeth City, and for appointing a new Election of Vestry men for the s^d parish.

Order'd, That the Com^{ee} of Propos^{ons} & Griev^{ces} do prepare & bring in the said Bill.

Then the House adjourn'd till to morrow morning—11. a clock.

Friday, February 23, 1727.

Order'd
THAT the Com^{ee} of Propos^{ons} & Griev^{ces} be discharged, from proceeding upon the Bill to enforce the penal Laws of this Country, which they were order'd to prepare & bring in, and that the Com^{ee} for Courts of Justice do prepare & bring in the same.

M^r Kemp with the leave of the House presented a Bill to enable Tho's Claiborne to sell & convey the Fee simple Estate of part of certain intailed Lands, & for laying out the purchase money in Negros or other Slaves, to be settled upon the persons to whom the Residue of the intailed Lands shall descend from time to time, and the same was read the first time, & order'd to be read a second time.

A petition of fundry Merchants trading to the West Indies, whose names are thereunto subscribed, was presented to the House & read, praying that they may be eased from certain hardships they lie under in the manner of entering & paying the duties of Liquors imported.

Order'd, That leave be given to bring in a Bill to ease the Importers of Rum & other liquors liable to a duty, in the manner of entering & paying the duties of such liquors, and that the Com^{ee} of Propos^{ons} & Grievances do prepare & bring in the said Bill.

The House proceeded to the consider'on of the amendm^{ts} made by the Council to the Bill intituled an Act for further continuing the Act intituled in Act for security & defence of the Country in times of danger, & the same were severally read & disagreed unto by the House.

Order'd,

Order'd, That a Message be sent to the Council, to acquaint them That this House doth disagree to the amendm'ts made by them to the said Bill, and that the Com'ee of Propos'ons & Griev'ces do go up with the Message.

The House being inform'd that the Sheriff of the County of *Accomack* attended at the door in Custody to amend his Return of the Writ for electing of Burgeesses to serve in this present Gen'l Assembly for the s'd County.

Order'd, That he do amend his said Return.

Which was done accordingly.

Order'd, That he be discharged out of Custody, paying Fees.

The House proceeded to the consideration of the Report of the Com'ee appointed to inquire into the present condition of the Battery at Point *Comfort*, made upon the several matters to them refer'd, and the same was read & is as follows.

"The Committee find that the Battery at Point *Comfort* had twenty large Iron Cannon upon it, of which some are so honey combed, that they are not fit for service. They find that the Soil near the s'd Point is a Sand, but are of Opinion, that a little further back from the late Battery is a better place for erecting a new Battery upon, where, they are inform'd the Battery may, at no great charge, be so secured, that it will resist all violent Storms, & will fully command the Channel, so that no Ship that draws ten foot water can safely pass it. They are inform'd that the Channel is near a mile over, & are of opinion, that a Battery of twelve of the best Guns is sufficient to be erected at that place, and that such a Battery will be of great use for the preservation of the Trade of this Country, and that Two hundred & fifty pounds may be sufficient to build & erect the same. And they find, that the charge of building the former Battery was defray'd out of the Revenue of two shillings $\frac{3}{4}$ hoghead upon Tobacco & fifteen pence $\frac{3}{4}$ Ton upon shipping."

Resolved, That an humble Address be presented to the Governor to return him the thanks of this House for his Care of the Security & Defence of this Country; and to acquaint him that it is the opinion of this House, That the erecting & maintaining a Battery at Point *Comfort* will be of considerable advantage to the Trade & Shipping of this Colony, But that the charge of erecting & maintaining the same ought to be defray'd out of the Revenue of two shillings $\frac{3}{4}$ hoghead upon Tobacco & fifteen pence $\frac{3}{4}$ ton upon shipping, which was one of the purposes for laying those duties; and therefore that it is not necessary for this House to contribute any thing towards this Work, until that Fund shall prove deficient.

Order'd, That the Com'ee of Propos'ons & Grievances do draw up an Address, pursuant to the said Resolution

Order'd, That Mr *Randolph* & Mr *Robert Armistead* have leave to go home upon extraordinary occasions.

Then the House adjourn'd till to morrow morning 11. a clock.

Saturday, February 24, 1727.

A MESSAGE from the Council, That they do agree to the Bill intituled *an Act for preventing of excessive & deceitful gaming.*

And also to the Bill intituled *an Act To prevent Swine running at large within the limits of the Town of Norfolk*, without any amendment.

And that they have made some amendm'ts to the Bill intituled *an Act for encouraging Adventurers in Iron Works*, to which they desire the Concurrence of this House.

A Bill for dissolving the present Vestry of the parish of *Elisa*. City, & for appointing a new Election of Vestry men for the said parish, was read the first time & order'd to be read a second time.

A Bill for the better & more effectual improving the Staple of Tobacco was read the first time & order'd to be read a second time.

A Bill to enable Thomas Claiborne to sell & convey the Fee simple Estate of part of certain intailed Lands, and for laying out the purchase money in Negroes or other slaves to be settled upon the persons to whom the residue of the intailed lands shall descend from time to time, was read the second time & committed.

Then the House adjourn'd till Monday morning—11. a Clock.

Monday, February 26, 1727.

A BILL for dissolving the present Vestry of the parish of Eliza. City, & for appointing a new Election of Vestry men for the s'd parish, was read the second time & several amendm'ts were made to the Bill at the Table.

Order'd, That the Bill with the amendm'ts be ingrossed.

The House proceeded to the consider'on of the amendm'ts made by the Council to the Bill intituled, *an Act for encouraging Adventurers in Iron Works*, and the same were severally read, and all the s'd amendm'ts were agreed unto by the House.

Order'd, That a Message be sent to the Council, to acquaint them that this House do agree to all the amendm'ts by them made to the s'd Bill, & that the Com'ee of Propos' ons & Griev'ces do go up with the Message.

The House being acquainted by a Member of the House that he had received a letter from Mr Greene the Attorney of Colo. *Spotswood*, acquainting him, that he was a Stranger to the several Transactions relating to the disposition of the money of which this House require an account to be laid before them, & that he is not able at this Juncture to lay any perfect account of that matter before this House, & therefore humbly prays the Favor of this House to allow him some further time & that he will shew a very ready obedience to such order as this House shall please to make upon the matter.

Order'd, That Mr Greene do attend next Monday & lay the account required before the House, in such manner as he shall be able to state the same.

A Bill to prevent losses to Ex'ors & Adm'rs by the sale of Negroes goods & chattels taken in Execution, For amending the Law in relation to Ex'ors & Adm'rs, For maintaining Actions of Account against Ex'ors & Adm'rs by one Jointenant & Tenant in Common against another Jointenant & Tenant in Common their Ex'ors & Adm'rs, For empowering Fathers to dispose of the Custody & Tuition of their Children, And for the better managing & securing Orphans Estates, was read the second time & committed.

Mr Harrison reported from the Com'ee appointed to inspect the Temporary Laws that the Com'ee do find that *An Act for the better securing the payment of Levies, and Restraint of vagrant & idle people, and for the more effectual discovery & prosecution of persons having Bastard Children*, will expire at the end of this Session of Assembly, and were of opinion that the same should be continued & amended.

Order'd, That the Com'ee of Propos'ons & Griev'ces do prepare & bring in a Bill For continuing & amending the said Act.

Order'd, That the said Com'ee do prepare & bring in a Bill for laying a duty on Slaves imported, and for appointing a Treasurer of such duty.

A Message was brought from the Council that they have made an amendment to the Bill intituled *An Act for killing Squirrels & Crows in the Counties of Accomack & Northampton*, to which they desire the concurrence of this House.

And the s'd amendm't was read & agreed unto by the House.

Order'd, That a Message be sent to the Council to acquaint them that this House do agree to the said amendm't and that the Com'ee who prepared the s'd Bill do go up with the Message.

Then the House adjourn'd till to morrow morning 11. a clock.

Tuesday,

Tuesday, February 27, 1727.

MR. *Conway* putting the House in mind of the great Zeal the Lieu't Gov'r has upon all occasions hitherto shewn for the Interest & Prosperity of this Colony: Of his courteous & affable Behaviour to all degrees of people in general, and of his kind & obliging Treatment of this House in particular. For which he merits the affection & highest respect of all the People of *Virginia*, who have all imaginable Reason to expect that his future Administration will be prudent & just, and easie & prosperous to them,

Moved, That this House would make a present to the Lieuten't Governor and after a Debate, the Question was put, & thereupon

Resolved, That the sum of Five hundred Pounds be given to the Lieuten't Governor, & that he be humbly desired to accept the same as an humble Acknowledgem't from the People of *Virginia*, of the just sense they have of his Regard for them and this Colony.

Order'd, That the s'd Sum of Five hundred Pounds be paid to the Lieut. Governor out of the public mony in the hands of *John Holloway* Esq'r Treafurer of *Virginia*.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the said Order & Resolve to the Council for their Concurrence.

Order'd, That it be an Instruction to the s'd Com'ee to bring in a Clause in the Address to be presented to the Governor, pursuant to the Resolution on *Friday* last, humbly to desire him to accept the s'd sum of five hundred pounds.

A Bill for the better & more effectual improving the Staple of Tobacco was read the second time.

Resolved, That the Bill be committed to a Com'ee of the whole House.

And the House resolved it self into a Com'ee of the whole House to consider the s'd Bill, & after some time spent therein Mr *Speaker* resumed the Chair, and Mr *Clayton* reported from the Com'ee, that they had made some progress in the Bill, & had directed him to move for leave to sit again.

Resolved, That the House will again Resolve it self into a Com'ee of the whole House, to morrow to consider further of the said Bill.

Then the House adjourn'd till to morrow morning 11. a clock.

Wednesday, February 28, 1727.

THE House according to order Resolved it self into a Com'ee of the whole House to consider further of the Bill for the better & more effectual improving the Staple of Tobacco, and after some time spent therein, Mr *Speaker* resumed the Chair, & Mr *Clayton* reported from the Com'ee, That they had gone thro' the Bill, & made several amendments thereto, which they had directed him to report to the House, and he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, and the amendm'ts were read & agreed to by the House, And a Clause was offer'd to be added to the said Bill, and a debate arising thereupon,

Resolved, That the same be adjorned.

A Message was brought from the Council, That they had passed an ingrossed Bill, intituled an Act for the better support of the Clergy of this Dominion, and for the more regular collecting & paying the parish Levies, to which they desire the Concurrence of this House.

Then the House adjourn'd till to morrow morning 11. a clock.

Thursday, February 29, 1727.

A BILL to explain and amend the Act for declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate, was read the first time & order'd to be read a second time.

Mr *Harrison* reported from the Com'ee to whom the Bill to prevent losses to Ex'ors & Adm'rs by the sale of Negros goods & Chattels taken in Execution, For amending
the

the Law in relation to Ex'ors & Adm'rs, For maintaining Actions of Account against Ex'ors & Adm'rs & by one Jointenant & Tenant in Common against another Jointenant & Tenant in Common their Ex'ors & Adm'rs, For empowering Fathers to dispose of the Custody and Tuition of their Children, and for the better managing & securing Orphans Estates was committed, several amendments made to the Bill, which they had directed him to report to the House, and he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, & the amendm'ts were read & agreed unto, & another amendm't was made at the Table.

Order'd, That the Bill with the amendm'ts be ingrossed.

Mr *Robert Bolling* reported from the Com'ee of public Claims that they had had under their consider'on the public debts & had agreed upon a Report, & drawn up a State of the same, which were enter'd in a Book, and he deliver'd the Book in at the Table.

Order'd, That the s'd Book do lie upon the Table.

A Message was brought from the Council,

That they do agree to the Refolve of this House for giving the Lieut't Governor Five hundred pounds.

The House resumed the adjourn'd Debate upon the Clause offer'd to be made part of the Bill *for the better & more effectual improving the Staple of Tobacco*, And the same was read & committed.

A Bill *to ease the Importers of Rum & other Liquors liable to a duty in the manner of entering & paying the duties of such Liquors*, was read the first time, and order'd to be read a second time.

Mr *Escribde* reported from the Com'ee of Privileges & Elec'ons That the Com'ee had had under their consideration the petition of *Gawen Corbin Richard Johnson & John Dixon*, against the Election of Mr *John Robinson* for the County of *King & Queen*, & had duly weigh'd the Evidence touching the s'd Complaint, & had come to several resolutions thereupon which he read in his place & deliver'd in at the Table, where the same were severally read & agreed unto by the House with an amendment, as follows.

Resolved, That the said Complaint is groundless, frivolous, malicious & scandalous.

Resolved, That Mr *John Robinson* is duly elected to serve as a Burgees in this present General Assembly for the County of *King & Queen*.

A Bill *for erecting a new County on the heads of Effex, King & Queen, & King William Counties*, was read the second time and committed.

The ingrossed Bill from the Council intituled *an Act for the better support of the Clergy of this Dominion, and for the more regular collecting & paying the parish Levies*, was read the first time & order'd to be read a second time.

A Bill intituled *an Act for dissolving the present Vestry of the parish of Elis'a City & for appointing a new Election of Vestry men for the s'd parish*, was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council for their Concurrence.

Then the House adjourn'd till to morrow morning 11. a clock.

Friday, March 1, 1727.

Order'd—

THAT it be an Instruction to the Committee to whom it is refer'd to prepare & bring in a Bill for laying a duty upon Slaves imported, to lay the duty upon the head, & not *ad valorem*.

A Bill intituled *an Act to prevent losses to Ex'ors & Adm'rs by the sale of Negros, Goods & Chattels taken in Execution, For amending the Law in Relation to Ex'ors & Adm'rs, For maintaining Actions of Account against Ex'ors & Adm'rs and by one Jointenant*
&

& Tenant in Common against another Jointenant & Tenant in Common, their Exors & Adm'rs, For the impowering Fathers to dispose of the Custody & Tuition of their Children, and for the better managing & securing Orphans Estates was read the third time, & one word inferted in the Bill at the Table.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council for their Concurrence.

Mr Lee reported from the Com'ee to whom the Bill to enable Thomas Claiborne to sell & convey the Fee simple Estate of part of certain intailed lands and for laying out the purchase money in Negros or other Slaves to be settled upon the persons to whom the residue of the intailed Lands shall descend from time to time, was committed, that the Com'ee had examin'd the Allegations of the Bill, & found the same to be true, & had made several amendments to the Bill, which they had directed him to report to the House, & he read the report in his place & afterwards deliver'd the Bill with the amendm'ts in at the Table, & the amendm'ts were read & agreed unto with an Amendment,

Order'd, That the Bill with the amendm'ts be ingrossed.

Order'd, That Mr Thacker have leave to be absent from the service of the House till Wednesday next.

Mr Braxton reported from the Com'ee to whom the Bill for erecting a new County on the heads of Effex, King & Queen, & King William Counties was committed, that the Com'ee had made several amendm'ts to the Bill which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, & the amendm'ts were read.

Order'd, That the Report do lie upon the Table.

Then the House adjorn'd till to morrow morning 11. a clock.

Saturday, March 2, 1727.

A BILL to prevent abuses in the importation of bottled Liquors being presented to the House & received, was read the first time, & order'd to be read a second time.

Order'd, That Mr Grymes & Mr Hollier have leave to be absent till Wednesday next.

Order'd, That a Committee be appointed to proportion the Public Levy, of the following persons,

Mr Escribidge—

Mr Rob. Bolling

Mr Kemp &

Mr Henry Willis—

Mr Burges.—

And the Com'ee are to prepare & bring in a Bill for raising a Public Levy.

Order'd, That the Treasurers accounts be refer'd to a Committee, and that they do examine the same, with the Vouchers, and report their opinions thereupon to the House.

And a Com'ee was appointed accordingly.

And then the House adjorn'd till Monday morning 11. a clock.—

Monday, March 4, 1727.

A MESSAGE was brought from the Council, that they have made an amendment to the Bill intituled an Act for dividing the County of Henrico, to which they desire the Concurrence of this House.

The House proceeded to the consideration of the Book of Claims & part of the said Book was read, & the further consider'on thereof was adjorn'd—

Resolved, That no allowance be hereafter made to any Interpreter for the Pamunkey or Chickohominy Indians.—

Then the House adjorn'd till to morrow morning—11. a clock.

Tuesday,

Tuesday, March 5, 1727.

MR *Kemp* reported from the Com'ee of Elections & Privileges That the Com'ee had had under their Consideration the matter of a Complaint to them refer'd in relation to the *Westmoreland* Election, & had examined all the Witneffes which were produced of either side touching the same, & heard Mr *Tho's Barnes*, who prosecuted the Complaint, and the fitting Members severally by their Counsel, & thereupon had agreed upon a Report, which he read in his place, & afterwards deliver'd it in at the Table, where the same was again read, & is as follows—*Viz't.*

"The Petition refer'd to the Com'ee is stiled the petition of the Freeholders of *Westmorland* County, & doth accuse *Augustin Washington* Gent. Sherif of the said County of acting partially & unfairly, in determining the Election without a Poll & returning Mr *Lee* & Mr *Esckridge*, the fitting Members, in injury to the Petitioner's Right, against the Duty of his Office which he was prevailed upon to do, as the Petition charges, by the insinuations of Mr *Esckridge*, and his promise to keep him indemnified: But the names of the persons who are supposed to be the Subscribers of the Petition, are wrote upon a separate paper: And it appears to the Com'ee, that that paper was carried about to the houses of several persons by *Mat. Bean* & *Joseph Sandford*, Mr *Barnes's* Agents, who deceived the People by telling them that the design of signing the paper was to satisfy Mr *Barnes*, what Interest he should have at a new Election, in case he could procure one; whereby some were induced to set their names, who would upon no account have sign'd a Complaint against the Election: & some persons sign'd the names of others, who were supposed to be in the interest of Mr *Barnes*, without their knowledge: But it does not appear that any of the persons, whose names are there written, were acquainted with the use that was intended to be made of the Subscriptions, except *Bean* & *Sandford*, and some few others of Mr *Barnes* particular Friends: But several who were inform'd of the Petition did refuse to sign, altho they would have voted for Mr *Barnes*, being satisfied that the Election was fair. It appears, That Mr *Barnes*, after the names of several Freeholders were thus procured, which the Com'ee cannot suppose could be done without his knowledge, annexed the paper, upon which the names of the pretended Subscribers were written, to the Petition, & presented the same to this House.

As to the matter of the Election: It appears to the Com'ee, That upon the Election day, about 12 a clock, the Writ was read, & Mr *Esckridge* desired all those persons that were for him & Mr *Lee* to separate themselves from the rest, & accordingly the People were divided into two Companies, one declaring for the fitting Members, & the other for Mr *Barnes*, & the Majority for the fitting Members appeared, upon that division, to be at least four to one, & no body at that time demanded any Poll. The Sherif staid till a little after one, & then ask'd Mr *Barnes*, what he intended to do, who answer'd, that tho he had no hopes of succeeding in the Election, yet, if the Sherif would stay till 2 a clock, he would then tell him whether he would have a Poll, & the Sherif agreed to stay 'till that time, but told *Barnes*, if he staid so long, he must determine upon the View, for it would be too late then to begin a Poll, & the weather was very bad, to which *Barnes* made no answer: But some little time before Two, as some declared, tho as others said, about Two, the Sherif found that the Freeholders grew uneasy and desired to be dispatched & told *Barnes*, he could stay no longer, the People being so uneasy, & the Weather growing worse, upon which *Barnes* taxed him with not keeping his Word, but said he was ready to go to a Poll: The Sherif said he would see whether he had any more Voters than appeared upon the first Division, & desired all the Freeholders who were for the fitting Members to separate from those who were for *Barnes*, which was done accordingly, and the Majority for the fitting Members appeared much the same as upon the first Division: But Mr *Barnes* was in the meantime taken up & carried into the Court-house, & the Sherif immediately proclaimed the fitting Members duly chosen Burgeffes for the County of *Westmorland*: About a quarter of an hour after which, Mr *Barnes* demanded a Poll, & some few of his Friends, who had been drinking, declared themselves not

satisfied

fatisfied with the proceeding of the Sherif; but several of Mr Barnes's Friends declared before the Com'ee, that they were well satisfied with the Election, & did not think they had any reason to complain of the Sherif: Neither doth it appear that any of the Freeholders are any waies disturb'd about it, except Mr Barnes & his Agents, nor could a Poll have been of any advantage to Barnes, thò it would have been very inconvenient to the Freeholders to poll at that time of day, & in such Weather.

And thereupon the Com'ee have come to the following Resolutions,

Resolved, That the Petition presented to this House in the name of the Freeholders of the County of *Westmorland*, complaining of the Election for the said County, is a false, forged, pretended Complaint.

Resolved, That *Matthew Bean & Joseph Sandford* in procuring several Freeholders to sign their names to a Paper; & causing the names of other Freeholders to be written therein without their knowledge, with intent to annex the same to a Petition with which the said Freeholders were not acquainted, and that *Thomas Barnes* in annexing that paper to the petition, knowing how it was obtained & presenting the same to this House, are highly criminal, and guilty of foul and scandalous practices, of an unjust Vexation to the fitting Members, and a high Breach of the Privileges of this House.

Resolved, That Mr *Thomas Lee & Mr George Escribde* are duly elected & returned Burgesses to serve in this present Gen'l Assembly for the County of *Westmorland*."

And the Question was severally put upon the Several Resolutions afores'd & thereupon

Resolved, That this House doth agree with the said Committee.

Resolved, That the Petition presented to this House in the name of the Freeholders of the County of *Westmorland* complaining of the Election for the said County, is a false, forged, pretended Complaint.

Resolved, That *Matthew Bean & Joseph Sandford* in procuring several Freeholders to sign their names to a paper, and causing the names of other Freeholders to be written therein without their knowledge, with intent to annex the same to a Petition with which the said Freeholders were not acquainted, And that *Thomas Barnes* in annexing that paper to the Petition, knowing how it was obtained, & presenting the same to this House, are highly criminal, & guilty of foul & scandalous practices of an unjust Vexation to the fitting Members, and a high Breach of the Privileges of this House.

Resolved, That Mr *Thomas Lee & Mr George Escribde* are duly elected & returned Burgesses to serve in this present Gen'l Assembly for the County of *Westmorland*.

Order'd, That the said *Matthew Bean Joseph Sandford & Thomas Barnes* be sent for in Custody of the Serjeant at Arms attending this House, to answer for their said Offences at the Bar of this House.

Mr *Harrison* reported from the Com'ee to whom the Clause offer'd to be made part of the Bill for the better & more effectual improving the Staple of Tobacco was committed, That the Com'ee had made several amendments to the Bill, which they had directed him to report to the House; and he read the Report in his place, & afterwards deliver'd the Clause with the amendm'ts in at the Table, where the amendments were read & agreed to with an amendment, And the Clause so amended was order'd to be made part of the Bill.

Order'd, That the Bill with the amendments be ingrossed.

A Petition of Mr *Græme*, the Attorney of Colonel *Spotswood*, was presented to the House & read, setting forth, that he is now attending with the accounts required of him, but that he has not been able, with all his diligence to procure the proper Vouchers that may be required to justify the said account, and praying that either the producing those accounts may be defer'd till the next Session of Assembly, or that he may have time till then to procure the Vouchers that may be wanted or required, & may have leave to add or alter the s'd accounts, if now produced, according to such Instructions as he shall hereafter receive.

Order'd, That the said Accounts be now produced. And the same were produced accord'ly.

Order'd,

Order'd, That the s'd Accounts be refer'd to a Com'ee & that they do examine the same with the Vouchers that can be now produced, & report their Opinion thereon to the House. And a Committee was appointed accordingly.

Order'd, That Mr *Burges* have leave to go home upon extraordinary occasions. Then the House adjourn'd till to morrow morning 11 a Clock.

Wednesday, March 6, 1727.

Order'd—

THAT Mr *Aug. Smith* & Mr *Sand* have leave to go home.

A Bill for *laying a duty on Slaves imported and for appointing a Treasurer* was read the first time & order'd to be read a second time.

A Bill for the better securing the payment of Levies and Restraint of vagrant & idle People and for the more effectual Discovery & Prosecution of Persons having Bastard Children and for preventing unlawful Cohabitation was read the first time & order'd to be read a second time.

A petition of *Thomas Barnes* was presented to the House & read setting forth that he is unfeignedly sorry for the Offence he has given this House, & that he is ready & willing to submit to the Censure of this House, & praying that he may no longer lie under the displeasure of this House: And was order'd to lie upon the Table.

A Bill intituled, *an Act For the better & more effectual improving the Staple of Tobacco* was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council for their Concurrence.

The House proceeded to take into consideration the amendment made by the Council to the Bill intituled *an Act for dividing the County of Henrico*, and the same was read & agreed to.

Order'd, That a Message be sent to the Council to acquaint them that this House hath agreed to the amendm't by them made to the s'd Bill, And that the Com'ee of Propos'ons & Grievances do go up with the Message.

A Bill intituled *an Act to enable Thomas Claiborne to sell & convey the Fee simple Estate of part of certain intailed Lands and for laying out the purchase money in Negroes or other Slaves to be settled upon the persons to whom the residue of the intailed Lands shall descend from time to time* was read the third time.

And after a Debate, the Question was put

That the Bill do pass

It passed in the Negative.

Resolved, That the Bill be rejected—

Then the House adjourn'd till to morrow morning 11 a Clock—

Thursday, March 7, 1727.

A BILL for erecting a Town in the County of Spotsylvania was read the first time & order'd to be read a second time.

The House proceeded to take into consideration the report of the Com'ee to whom the Bill for erecting a new County on the heads of Effex, King & Queen & King William Counties was committed, and the amendments were severally read & agreed to with some amendm'ts.

Order'd, That the Bill with the amendm'ts be ingrossed.

A member acquainting the House That Mr *Thomas Barnes* had made Satisfaction to the Sherif of the County of Westmoreland for the Trouble & charges he had been put to
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in defending him self againſt the pretended Complaint profecuted by him againſt the ſaid Sheriff and the election for the ſaid County: And that he hath alſo made Satisfaction to the fitting Members for the Vexation he hath given them & their expences in bringing their Witneſſes to Town—

Moved, That he might now be brought to the Bar in order to be diſcharg'd.

And the Queſtion was put

That Mr *Thomas Barnes* be now brought to the Bar, in order to be diſcharged.

Resolved, In the Affirmative.

And Mr *Barnes* was call'd to the Bar, accordingly, the doors being open, & made an humble confeſſion of his Offence, expreſſed his Sorrow for the ſame, & asked pardon of the Gentlemen he had injured & of this Houſe. Upon which he received a Reprimand from Mr *Speaker* & was order'd to be diſcharged out of Cuſtody, paying his Fees.

Mr *Hariſon* reported from the Com'ee appointed to examine the accounts of the money put into the hands of Col. *Spotswood* for certain public uſes, That they had examined the ſaid accounts & agreed upon a Report, which he read in his place & afterwards deliver'd it in at the Table, where the ſame was again read—

Order'd, That the ſaid Report do lie upon the Table.

The ingroſſed Bill from the Council intituled *an Act for the better ſupport of the Clergy, of this Dominion and for the more regular collecting & paying the Pariſh Levies* was read the ſecond time.

And the Queſtion was put, That the Bill be committed.

Resolved, In the Affirmative.

Resolved, That the Bill be committed to a Com'ee of the whole Houſe.

The Houſe proceeded to the further conſideration of the Book of Claims, and the ſame was read thrô, & ſeveral amendm'ts were made therein, & the Book paſſed the Houſe.

Mr *R. Bolling*, with the leave of the Houſe, preſented a Bill *declaring who ſhall be accounted Mulattos*, which was read the firſt time & order'd to be read a ſecond time.

A Bill *for laying a duty on Slaves imported & for appointing a Treafurer* was read the ſecond time & committed.

Order'd, That Mr *Simmons* have leave to be abſent from the Service of the Houſe till *Tueſday* next.

Then the Houſe adjorn'd till to morrow morning—11. a Clock.

Friday, March 8, 1727.

A MOTION was made, That the Houſe would now conſider the Report of the Com'ee made yesterday upon the Accounts laid before this Houſe by Mr *Grame* of the Fifteen hundred pounds put into the hands of Colo. *Spotswood* for ſeveral public uſes by an Act of Aſſembly made in the ſeventh year of the Reign of the late King *George* & the ſaid report was read & is as follows.

"It appears to the Committee

That the ſum of £534. .6^d . . *Sterling* mony hath been expended in Arms & Ammunition which have been diſpoſed of as follows, *Viz't* 240 muſkets with Bagonets & Cartouch boxes have been diſtributed in the County of *Spotſylvania*, and 60 more are yet in that Court houſe: And that 6 barrels of powder & 2000 pounds of Bullets (being all the Ammunition charged) has been diſtributed in *Spotſylvania* Coty, & 100 muſkets with Bagonets & Cartouch boxes hath been diſtributed to the Inhabitants of *Brunswick*.

It appears alſo, That the ſum of £267. . . . 3^d being 50 $\frac{3}{4}$ Cent on the coſt is charged to the Country for difference of Exchange Trouble & Risk into this Country, and £24. .9. .3. for charges of Sloop hire & carting & other Expences.

It appears, That there is alſo a charge of £689. .5. .6^d for public Buildings: But it appearing that the ſ'd Buildings are on Colo. *Spotswoods* Land, & no Conveyance or
legal

legal Affurance made thereof, We are of opinion that the confideration of thofe accounts fhould be fufpended until the Lands on which fuch Buildings are erected fhall be legally conveyed & affured to the Parifh of Saint *George*, and County of *Spotfilvania*—”

Resolved, That the Arms imported by Colonel *Spotfwood* for the ufe of the Counties of *Spotfilvania* & *Brunswick* were imported upon the Risk of the Public & that the charge of 50 p Cent for Risk Trouble & Exchange be not allowed.

Resolved, That the fum of 15 p Cent be allowed to Colo. *Spotfwood* for the difference of Exchange, and that he be further allowed all the charges & Expences he has laid out about the faid Arms, more than the fum of the Invoices.

Resolved, That Colo. *Spotfwood* ought to make fome legal conveyance of the Room appointed for the Seflion of the County Court of *Spotfilvania*, and half an acre of ground thereto adjoining, including the Prifon, Pillory & Stocks, & one Acre of Land for a Church-yard, including the Church, to the end the fame may be fecured & fet apart for the ufe of the Inhabitants of the Parifh & County afores'd: And that unlefs fuch conveyance be made fome time before the laft day of *May* in the year of our Lord MDCC-XXIX, no part of the charge in the faid account for the Buildings therein mentioned be allowed.

Resolved, That the further confideration of the faid account be refer'd to the next Seflion of Affembly.

Order'd, That Mr *Grame* do lay before this Houfe at the next Seflion of Affembly, an Account of fuch charges & Expences as are to be further allow'd in the faid Account purfuant to the Refolution of the Houfe.

The Houfe upon a Motion *resolved* it felf into a Com'ee of the whole Houfe to confider the ingroffed Bill from the Council, intituled *an Act for the better fupport of the Clergy of this Dominion and for the more regular collecting & paying the Parifh Levies*, and after fome time fpent therein,—Mr *Speaker* refumed the Chair, & Mr *Clayton* reported from the Com'ee, that they had made fome progrefs in the s'd Bill, & directed him to move for leave to fit again.

Resolved, That the Houfe will again *resolve* it felf into a Com'ee of the whole Houfe to confider further of the faid Bill.—

Order'd, That Mr *R. Bolling* & Mr *Harrifon* have leave to go home.

Order'd, That Mr *Bacon* have leave to be abfent from the fervice of the Houfe 'til *Tuesday* and Mr *Stith* till *Wednesday* next.

Then the Houfe adjorn'd till to morrow morning 11. a Clock.

Saturday, March 9, 1727.

MR. Attorney General reported from the Com'ee to whom the Bill for *laying a Duty on Slaves imported and for appointing a Treasurer* was committed, That the Com'ee had made feveral amendm'ts to the Bill, which they had directed him to report to the Houfe, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the amendm'ts were again read & agreed unto by the Houfe, and feveral blanks in the Bill were filled up.

Order'd, That the Bill with the amendments be ingroffed—

Order'd, That Mr *Ravenfcroft* have leave to be abfent from the fervice of the Houfe 'til *Wednesday* next.

Mr Attorney General reported from the Com'ee to whom the Bill to *enable William Farrar & Thomas Farrar to fell & convey certain intailed Lands and for fettling other Lands & Negroes of greater value to the fame ufes* was committed, That the Com'ee had examined the Allegations of the s'd Bill & had agreed upon a Report of the matter as it appeared to them, which he read in his place, & afterwards deliver'd it in at the Table, where the fame was again read, & feveral amendments were made to the Bill—

Order'd, That the Bill with the amendm'ts be ingroffed—

A Bill intituled *an Act for erecting a new County on the heads of Effex, King & Queen and King William Counties and for calling the same Caroline County*, was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council for their concurrence.

A Message was brought from the Council That they have made some amendm'ts to the Bill intituled *an Act for dissolving the present Vestry of the parish of Accomack & for appointing a new Election of Vestry men*, to which they desire the concurrence of this House.

And that they have passed a Bill intituled *an Act for making more effectual provision against Invasions & Insurrections* to which they likewise desire the concurrence of this House. A Bill for *erecting a Town in the County of Spotfilvania* was read the second time & several amendm'ts were made to the Bill at the Table.

Order'd, That the Bill with the amendments be ingrossed.

A Bill to *explain & amend the Act for declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Estate*, was read the second time & committed—

A Bill to *ease the Importers of Rum & other Liquors liable to a Duty in the manner of entering & paying the duties of such Liquors* was read the second time & committed—

Then the House adjourn'd till Monday morning 11. a Clock.—

Monday, March 11, 1727.

A ingrossed Bill from the Council intituled *an Act for making more effectual provision against Invasions & Insurrections* was read the first time & order'd to be read a second time.

A Bill intituled *an Act to enable William Farrar & Tho: Farrar to sell & convey certain intailed lands and for settling other Lands & Negroes of greater value to the same uses* was read the third time.

Resolved, That the Bill do pass.

A Bill intituled *an Act for laying a Duty on Slaves imported and for appointing a Trazafurer* was read the third time.

Resolved Nemine Contradicente

That the Bill do pass.

A Bill intituled *an Act for erecting a Town in the County of Spotfilvania* was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the said Bills to the Council for their Concurrence.

Order'd, That Mr Strother have leave to be absent from the Service of the House 'til to morrow se'nnight.

A Bill for *the better securing the payment of Levies and Restraint of vagrant & idle people and for the more effectual discovery & Prosecution of Persons having Bastard Children and for preventing unlawful Cohabitation* was read the second time & committed—

A Bill to *prevent abuses in the importation of bottled Liquors* was read the second time And the Question was put, That the Bill be committed—

It passed in the Negative.

Resolved, That the Bill be Rejected—

Order'd, That the Chaplain of this House do attend & read prayers every morning at nine of the clock.—

A Bill *declaring who shall be accounted Mulattos* was read the 2'd time & com'ed.

A Motion being made & the Question being put

That the House be now called over.

It passed in the Negative.

Then the House adjourn'd till to morrow morning 11. a clock.—

Tuesday,

Tuesday, March 12, 1727.

MR. *Attorney General* reported from the Com'ee to whom the Bill to *ease the Importers of Rum & other Liquors liable to a Duty in the manner of entering & paying the duties of such liquors* was committed, several amendments made by the Com'ee to the Bill, which they had directed him to report to the House, and he read the Report in his place & afterwards deliver'd the Bill with the Amendm'ts in at the Table, where the said amendm'ts were read & with an amendm't to one of them agreed unto by the House.

Order'd, That the Bill with the amendm'ts be ingrossed.—

A Motion being made—

Resolved, That the wages of the Burgeffes attending this Session & all the charges of this Session of Assembly be paid & discharged out of the public mony in the hands of the Treasurer, after the rate of ten shillings for every hundred pounds weight of Tobacco.

Order'd, That Mr Meriwether Mr Braxton Mr Kemp & Mr Syme do carry the s'd Resolve to the Council, & desire their concurrence.

The House upon a Motion resolv'd it self into a Com'ee of the whole House to consider further of the ingrossed Bill from the Council *for the better support of the Clergy of this Dominion and for the more regular collect'g & paying the Parish Levies*, and after some time spent therein, Mr Speaker resum'd the Chair, and Mr *Attorney General* reported from the Com'ee, That they had made some further progress in the s'd Bill, & had directed him to move for leave to sit again.

Resolved, That this House will resolve it self into a Com'ee of the whole House to morrow to consider further of the said Bill.—

Then the House adjorn'd till to morrow morning—10. a clock.—

Wednesday, March 13, 1727.

MR. *Attorney General* reported from the Com'ee to whom the Bill *for the better securing the payment of Levies and Restraint of vagrant & idle people and for the more effectual discovery & Prosecution of persons having Bastard Children and for preventing unlawful Cohabitation* was committed several amendm'ts made by the Com'ee to the Bill, which they had directed him to report to the House, and he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table where the said amendm'ts were read & agreed unto by the House.—

Order'd, That the Bill with the amendm'ts be ingrossed—

The House according to order resolv'd it self into a Com'ee of the whole House, to consider further of the ingrossed Bill from the Council *For the better Support of the Clergy of this Dominion and for the more regular collecting & paying the Parish Levies*, and after some time spent therein Mr Speaker resum'd the Chair, & Mr *Attorney Gen'l* reported from the Com'ee That they had gone thro' the Bill & made several amendm'ts to the Bill, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the said amendm'ts were read & with some amendm'ts were agreed unto by the House.

The said Bill was read the third time—

Resolved, That the Bill with the amendm'ts do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council & acquaint them that this House hath agreed to the same with some amendments to which they desire their Concurrence.

A Message was brought from the Council, That they have made some amendm'ts to the Bill intituled *an Act for laying a Duty on Slaves imported and for appointing a Treasurer*.

And also to the Bill intituled *an Act for erecting a new County on the heads of Effex King & Queen & King Wm. Counties and for calling the same Caroline County*, to which they desire the concurrence of this House.

And that they have passed the Bill intituled *an Act to enable Wm. Farrar & Thomas Farrar to sell & convey certain intailed Lands and for settling other Lands & Negroes of greater value to the same uses*, without any amendm't.

Then the House adjourn'd till to morrow morning 10. a Clock.

Thursday, March 14, 1727.

MR. R. *Bolling* reported from the Com'ee to whom the Treafurer's accounts were refer'd, that they had examined the several Articles thereof, with the Vouchers, & found the same to be justly charged, & that the ballance due in his hands amounts to £4,784 .. 6 .. 1^d.

The said accounts were passed by this House—

Order'd, That the Com'ee who examined the said Accounts do carry the same to the Council, in order to be passed by them.

Order'd, That the several sums hereafter mentioned be paid to the Officers of the General Assembly, respectively, out of the public mony in the hands of *Jno. Holloway* Esq^r Treafurer, *Viz't*—

	£
To Mr <i>John Randolph</i> , Clerk of the House of Burgesses, for his usual salary for this Session.....	100 .. — .. —
To the said <i>John Randolph</i> , for extraordinary Trouble & Service during this Session.....	50 .. — .. —
To Mr <i>William Robertson</i> , Clerk of the Gen'l Assembly for his usual Salary for this Session.....	50 .. — .. —
To the said <i>Wm. Robertson</i> , for extraordinary Service, & Trouble.....	25 .. — .. More
To Mr <i>Godfrey Pole</i> , Clerk of the Com'ee of Propos'ons and Griev's, for his usual allowance for this Session.....	40 .. — .. —
To Mr <i>Benj'a Needler</i> , for serving as Clerk to the Com'ee for Courts of Justice	25 .. — .. —
To Mr <i>Miles Cary</i> , Clerk of the Com'ee of public Claims, for his usual allowance for this Session.....	40 .. — .. —
To Mr <i>Philip Finch</i> , Serjeant at Arms attending this House, for his Service this Session.....	40 .. — .. —
To Mr <i>Francis Fontaine</i> , Chaplain to this House for his service this Session, as usual.....	20 .. — .. —
To the s'd <i>F. Fontaine</i> , as a further gratuity, in regard to his Merit & the length of the Session in this Season of the year.....	10 .. — .. More
To <i>Nicho. Wager</i> , one of the Doorkeepers of this House, for attending the Com'ee of Propos'ons & Grievances.....	10 .. — .. —
To the s'd <i>N. Wager</i> for attending the Com'ee for Courts of Justice....	2 .. 10 .. —
To the Doorkeeper of the Council.....	10 .. — .. —
To <i>John Mundel Wm. Francis & Wm. Johnson</i> the other Doorkeepers in consider'on of the length of the Session in this Season.....	10 .. — .. each

Order'd, That the said allowances be added to the Book of Claims & that the Com'ee of Public Claims do carry the s'd Book to the Council for their concurrence.

Resolved, That the sum of Twenty pounds be paid to *John Clayton* Esq^r, Chairman of the Com'ee for Courts of Justice, for his Service this Session.

Order'd, That Mr *Walk* have leave to be absent from the service of the House till Monday se'nnight.

That

That Mr *Mead* have leave to be absent till *Wednesday* next.

And that Mr *Randolph* have leave to be absent all the next week.

Mr *Attorney Gen'l* according to order, presented to the House a Bill *For preventing delays in the Courts of Justice For expediting & better settling the proceedings in the General Court and For the more speedy & easie Recovery of small debts*, and the same was received & read the first time and order'd to be read a second time.

Then the House adjourn'd, till to morrow morning—11 a Clock.

Friday, March 15, 1727.

MR *Conway* with the leave of the House presented a Bill *for the better regulating the payment of Burgeffes Wages* and the same was received, and read the first time, & order'd to be read a second time.

Mr *Attorney Gen'l* reported from the Com'ee to whom the Bill *To explain & amend the Act for declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Estate* was committed, That the Com'ee had made several amendm'ts to the Bill, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table.

Order'd, That the sum of forty shillings be paid to *John Mundel*, for providing Wood for Fires during this Session.

Resolved, That *John Holloway & John Clayton Esqrs* be empower'd to make such alterations in the Chamber wherein the Burgeffes usually sit, as they think fit, for making more room for the Members.

A Motion being made, & the Question being put

That an humble Address be prepared to be presented to His Majesty, & also a Petition to the parliament of *Great Britain* to obtain a Repeal of part of the late Act of Parliament prohibiting the Importation of Tobacco stript from the Stalks.

Resolved, In the Affirmative—

Order'd, That Mr *Attorney General*, Mr *Meriwether*, Mr *Braxton*, Mr *Fran: Willis*, Mr *Tayloe* & Mr *Eschridge* do prepare & bring in the s'd Address & Petic'on.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *for erecting a new County on the heads of Essex, King & Queen & King Wm. Counties and for calling the same Caroline County*, and the amendm'ts were severally read & agreed unto by the House.

The House also proceeded to take into consideration the amendm'ts made by the Council to the Bill *For laying a duty on Slaves imported & for appointing a Treasurer*, & the amendm'ts were severally read & agreed unto by the House.

Order'd, That the Com'ee of Propos'ons & Griev'ces do go up to the Council & acquaint them, that this House hath agreed to the several amendm'ts by them severally made to the said Bills.

A Bill intituled an Act *For the better securing the payment of Levies and Restraint of vagrant & idle people and for the more effectual discovery & Prosecution of persons having Bastard Children and for preventing unlawful Cohabitation*, was read the third time—

Resolved, That the Bill do pass.

A Bill *to ease the Importers of Rum & other Liquors liable to a Duty in the manner of entering & paying the Duties of such Liquors*, was read the third time—

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the said Bills to the Council, for their Concurrence.

Then the House Adjourn'd till to morrow morn. 10. a clock.

Saturday,

Saturday, March 16, 1727.

Order'd,

THAT Mr *Laurence Smith* have leave to be absent from the service of the House on *Monday* next.

Mr *Attorney Gen'l* according to order presented to the House a Bill *For the better & more effectual putting the penal Laws in Execution*, and the same was received & read the first time & order'd to be read a 2d time.

A Petition of sundry *German* Protestants inhabiting near the Mountains in the County of *Spotylvania*, whose names are thereunto subscribed, was refer'd from the Governor & Council, & was read, praying that they may be settled in a Parish distinct from the Parish wherein they now live, to the end they may be enabled to procure & maintain a Minister of their own Language.

Resolved, That the said Petition be refer'd to the consideration of the next Session of Assembly.—

Mr *Attorney Gen'l* reported from the Com'ee of Propos'ons & Grievances,

That the Com'ee had had under their Consideration the several Petitions to them refer'd, in relation to the Bounds of several Parishes in the Counties of *Northumberland & Lancaster*, and were come to a Resolution thereon, which he read in his place, & afterwards deliver'd it in at the Table, where it was again read & agreed to by the House.

Resolved, That the Bounds of the Parish of *Wiccocomico* shall hereafter be the same as they were reputed to be before the settlement of the Bounds between the Counties of *Northumberland & Lancaster* made in the year 1723, & confirmed at the last Session of Assembly.

Resolved That Mr *Lee*, Mr *Tayloe*, & Mr *Grymes*, or any two of them, be empower'd to run the dividing Line between the said Parish and the Parishes in the County of *Lancaster* upon which that Parish joins, as the bounds were reputed before the year 1723, & that the same be done at the charge of the parish of *Wiccocomico*.

The House proceeded to take into consideration the Report of the Com'ee, to whom the Bill *To explain & amend the Act For declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate* was committed, and the amendm'ts were read, & agreed unto by the House.

And, after a Debate, the Question was put

That the Bill with the amendm'ts be ingrossed.

Resolved—In the Affirmative.

Order'd, That the same be ingrossed, and that the Title of the Bill be, *An Act To explain & amend the Act For declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate* And part of one other Act intituled *an Act For the Distribution of Intestates Estates declaring Widows Rights to their deceased Husbands Estates and for securing Orphans Estates*.

An ingrossed Bill from the Council, *For making more effectual Provision against Invasions & Insurrections*, was read the second time & order'd to be read a third time.

A Message was brought from the Council, That they have made several amendm'ts to the Bill intituled *an Act For the better & more effectual improving the Staple of Tobacco*, to which they desire the concurrence of this House.

And that they have agreed to all the amendm'ts made by this House to the Bill intituled *an Act For the better Support of the Clergy of this Dominion & for the more regular collecting & paying the Parish Levies*.

A Bill *For the better regulating the payment of Burgeffes Wages* was read the second time & committed—

Then the House adjourn'd till *Monday* morning 11—a clock—

Monday,

Monday, March 18, 1727.

A MOTION being made

The Houfe was call'd over, & the names of feveral Members who did not appear were called over a fecond time, & thereupon

Order'd, That Mr R. Armistead, Mr F. Willis, Mr H. Armistead, Mr Blair, Mr Ravenscroft & Mr Roscow be taken into Cuftody of the Serjeant at Arms attending this Houfe, for neglecting to attend their Service in the General Affembly.—

A Bill intituled *an A^t To explain & amend the A^t For declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate* And part of one other A^t intituled *an A^t For the diftribution of Intestates Eftates declaring Widows Rights to their deceased Husband's Eftates & for fecuring Orphans Eftates*, was read the third time.

Resolved, That the Bill do pafs.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council for their Concurrence.

The Houfe being inform'd That Mr Ravenscroft Mr F. Willis, Mr H. Armistead & Mr Blair attended at the door in Cuftody & praied to be admitted to take their places in the Houfe.

Order'd, That they be difcharged out of Cuftody, paying Fees.

A Bill for *preventing Delays in Courts of Justice For expediting & better fettling the proceedings in the General Court and for the more speedy & eafie Recovery of fmall Debts*, was read the fecond time, & feveral amendments were made thereunto at the Table.

Order'd, That the Bill with the amendm'ts be ingroffed & that the Title of the Bill be, *An A^t For preventing Delays in Courts of Justice, For expediting & better fettling the proceedings in the General Court and for the more speedy & eafie Recovery of fmall Debts And for Repealing an A^t For obliging Attornies prosecuting Suits on behalf of persons out of the Country to give Security for paying all Costs & Damages And declaring in what manner fuch security fhall be hereafter given.*

Order'd, That Mr Boufh have leave to go into the Country, for Recovery of his Health.

Then the Houfe adjorn'd till to morrow morning—10—a Clock.

Tuesday, March 19, 1727.

MR. Conway reported from the Com'ee to whom the Bill for the better regulating the payment of Burgeffes Wages was committed, feveral amendm'ts made by the Com'ee to the Bill, which they had directed him to report to the Houfe, & he read the Report in his place, & afterwards deliver'd the Bill with the amendments in at the Table, where the amendm'ts were feverally read.

And after a Debate, the Queftion was put

That the Bill be recommitted—

Yeas—22

Noes—22 Mr Speaker Yea—

And fo it was Resolved in the Affirmative.

A Petition of Joseph Sutton was prefented to the Houfe & read, praying an Allowance for Carpenters & Joiner's work done about the Capitol & Public Joal.

Order'd, That the s'd Petition be refer'd to the confideration of the next Seffion of Afs'bly.

A Bill intituled *an A^t For preventing Delays in Courts of Justice For expediting & better fettling the proceedings in the General Court and for the more speedy & eafie Recovery of fmall debts And for Repealing an A^t For obliging Attornies prosecuting Suits on behalf of persons out of the Country to give Security for paying all Costs & Damages And declaring in what manner fuch Security fhall be hereafter given*, was read the third time, & an amendm't was made to the Bill at the Table.

Resolved,

Resolved, That the Bill do pass.

Order'd, That the Com'ee for Courts of Justice do carry the Bill to the Council, for their Concurrence.

Mr *Attorney General*, according to order, presented a Bill *For erecting a Light-house on Cape Henry*, and the same was received & read the first time & order'd to be read a second time.

Then the House adjourn'd till to morrow morning—11. a clock.

Wednesday, March 20, 1727.

MR. *Harrison*, according to Order, presented a Bill *For ascertaining the Fees of certain Officers therein mentioned*, and the same was received & read the first Time, & order'd to be read a second time.

Mr *Attorney Gen'l* reported from the Com'ee to whom the Bill *For the better regulating the payment of Burgeffes Wages* was recommitted, some amendm'ts made by the Com'ee, to the Bill, which they had directed him to report to the House, & he read the Report in his place & afterwards deliv'd the Bill with the amendm'ts in at the Table, where the amendments were read & disagreed to by the House.

And, after a Debate, the Question was put

That the Bill be ingrossed—

It passed in the Negative—

Resolved, That the Bill be Rejected—

A Message was brought from the Council, That they have pass'd a Bill intituled *an Act For the better regulating & ascertaining the current Rates of Silver Coin within this Dominion*, to which they desire the concurrence of this House.

And that they have made several amendm'ts to the Bill intituled, *an Act to prevent losses to Ex'ors & Adm'rs by the Sale of Negros Goods and Chattels taken in Execution For amending the Law in relation to Ex'ors & Adm'rs For maintaining Actions of Account against Ex'ors & Adm'rs and by one Jointenant & Tenant in Common against another Jointenant & Tenant in Common their Ex'ors & Adm'rs For empowering Fathers to dispose of the Custody & Tuition of their Children And for the better managing & securing Orphans Estates.*

And also to the Bill intituled *an Act For erecting a Town in the County of Spotylvania*, to which they desire the Concurrence of this House.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *For the better & more effectual improving the Staple of Tobacco*, and the amendm'ts were severally read, & all the said amendm'ts were agreed unto by the House, except two, made in the 13th & 14th lines in the 5th side of the Bill, which were disagreed to by the House.

Order'd, That the Com'ee of Propos'ons & Griev's do carry the Bill to the Council & acquaint them That this House hath agreed to all the amendm'ts by them made to the said Bill, except those in the 13th & 14th Lines of the 5th side, to which the House hath disagreed—

An ingrossed Bill from the Council, *For making more effectual Provision against Invasions & Insurrections*, was read the 3d time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Griev's do carry the Bill to the Council & acquaint them that this House hath agreed to the same without any amendm't.

An ingrossed Bill from the Council, *For the better regulating and ascertaining the current rates of Silver Coin within this Dominion*, was read the first time, & order'd to be read a second time.—

Then the House adjourn'd till to morrow morning—10. a Clock.

Thursday,

Thursday, March 21, 1727.

Order'd,

THAT Mr *Roscow* & Mr *R. Armistead*, Members of this House, in Custody of the Serjeant at Arms attending this House, for neglecting to attend their Service in the Assembly, be discharged out of Custody, paying their Fees.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *To prevent Losses to Ex'ors & Adm'rs by the Sale of Negros Goods & Chattels taken in Execution For amending the Law in Relation to Ex'ors & Adm'rs For maintaining Actions of Account against Ex'ors & Adm'rs and by one Jointenant & Tenant in Common against another Jointenant & Tenant in Common their Ex'ors and Adm'rs For empowering Fathers to dispose of the Custody & Tuition of their Children And for the better managing & securing Orphans Estates*, and the amendm'ts were severally read,

The first amendm't was agreed to, the 2d & 3d amendm'ts were disagreed to, the 4th & 5th amendm'ts were agreed to, the 6th & 7th amendm'ts were disagreed to, the 8th amendm't was agreed to, & the last amendm't was disagreed to by the House.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council, & acquaint them which of the said amendm'ts are agreed to, & which are disagreed to by this House.

A Message was brought from the Council, That they do recede from the amendments by them made to the Bill *For the better & more effectual improving the Staple of Tobacco* to which this House hath disagreed, & that they have passed the Bill with the amendm'ts agreed to by this House.

That they have passed the Treasurers's accounts.

And that they propose several allowances to be added to the Book of Claims, to which they desire the Concurrence of this House.

Mr *Attorney Gen'l* reported from the Com'ee to whom the Bill *declaring who shall be accounted Mulattos* was committed, several amendm'ts made to the Bill by the Com'ee, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the same were again read & agreed to by the House.

Order'd, That the Bill with the amendm'ts be ingrossed.—

An ingrossed Bill from the Council, *For the better regulating & ascertaining the current rates of Silver Coin within this Dominion*, was read the second time & committed—

A Bill *For the better & more effectual putting the penal Laws in Exec'on*, was read the second time & committed.

Then the House adjourn'd till to morrow morning—11. a clock.

Friday, March 22, 1727.

MR. *Harrison* reported from the Com'ee to whom the ingrossed Bill from the Council, *For the better regulating & ascertaining the current rates of Silver Coin within this Dominion* was committed, that the Com'ee had made an amendm't to the Title of the Bill & prepared a Clause to be added to the bill, which they had directed him to report to the House, & he read the Report in his place & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the amendm'ts were again read & agreed to by the House.

The Bill was read the third time.

Resolved, That the Bill with the amendm'ts do pass.

Order'd, That Mr *Harrison*, Mr *Tayloe*, Mr *Braxton* & Mr *Lee* do carry the Bill to the Council & acquaint them that this House hath agreed to the same with some amendm'ts, to which they desire their Concurrence.

Order'd, That Mr *Tayloe* have leave to be absent from the service of the House till this day fe'nnight.

That Mr *Lee* have leave to be absent from the Service of the house till to morrow fevennight.

That

That Mr *Harrison* have leave to be absent from the Service of the House upon certain Affairs relating to the Government.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *For erecting a Town in County of Spotylvania*, & the amendm'ts were severally read and with an amendment to one of them agreed unto by the House.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council & acquaint them that this House hath agreed to all the amendm'ts by them made to the said Bill, with an amendm't to one of them—

Order'd, That Mr *Ravenscroft* have leave to be absent from the Service of the House till *Monday* next.

A Bill intituled *an Act declaring who shall be accounted Mulattos*, was read the third time—

Resolved, That the Bill do pass.

Order'd, That Mr *Attorney General* & Mr *Kemp* do carry the Bill to the Council for their Concurrence—

A Bill *For erecting a Light-house on Cape Henry* was read the second time and committed—

A Message was brought from the Council, That they have passed a Bill intituled *an Act For prohibiting the Exportation of Grain in time of Scarcity*—And that they do recede from some of the amendm'ts by them made to the Bill, *To prevent losses to Ex'ors & Adm'rs by the Sale of Negros Goods & Chattels taken in Ex'on For amending the Law in relation to Ex'ors & Adm'rs For maintaining Actions of account against Ex'ors & Adm'rs and by one Jointenant & Tenant in Common against another Jointenant & Tenant in common their Ex'ors & Adm'rs For impowering Fathers to dispose of the Custody & Tuition of their Children And for the better managing and securing Orphans Estates*, And that they do insist upon the other amendments to the said Bill to which this House hath disagreed—

And that they do agree to the amendm't made by this House to the Bill *For the better regulating & ascertaining the current Rates of Silver Coin within this Dominion*.

And also to the amendm't made by this House to one of the amendm'ts by them made to the Bill *for erecting a Town in the County of Spotylvania*. And that they have passed the said Bills with the amendm'ts.

And that they have made some amendm'ts to the Bill *for dissolving the present Vestry of the Parish of Elizabeth City, and for appointing a new Election of Vestry-men for the said Parish*.

And also to the Bill *to explain & amend the Act For declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Estate* And part of one other Act intituled *an Act For the Distribution of Intestates Estates declaring Widows Rights to their deceased Husbands Estates & for securing Orphans Estates*, to which they desire the Concurrence of this House.

And the amendm'ts to the last mentioned Bill were severally read & disagreed to by the House.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council, & acquaint them that this House do not agree to the amendments by them made to the said Bill—

Then the House adjourn'd till to morrow morning 11. a clock.

Saturday, March 23, 1727.

MR *Attorney Gen'l* reported from the Com'ee to whom the Bill *For the better & more effectual putting the penal Laws in Execution* was committed, That the Com'ee had made several amendm'ts to the Bill, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the amendm'ts were severally read & agreed unto by the House.

Order'd,

Order'd, That the Bill with the amendm'ts be ingrossed.—

Mr Attorney Gen'l also reported from the Com'ee to whom the Bill *For erecting a Light-house on Cape Henry* was committed, that the Com'ee had made several amendm'ts to the Bill, which they had directed him to report to the House, & he read the Report in his place, & afterwards deliver'd the Bill with the amendm'ts in at the Table, where the amend'ts were severally read & agreed to by the House.

Order'd, That the Bill with the amendm'ts be ingrossed.

The House proceeded to take into consideration the several allowances propos'd by the Council to be added to the Book of Claims, and several of the Articles were allowed by the House & added to the Book of Claims.

And, after a Debate, the Question was put

That the account of Mr *Leheups'* expenses in obtaining His Majesty's Approbation of the *Act For laying a Duty on Liquors*, be paid out of the money in the hands of the Treasurer.

It passed in the Negative.

Order'd, That the claim of *Joseph Sutton* be refer'd to the consideration of the Com'ee of Public Claims & that they do examine the same & report their opinions thereon to the House.

A Message was brought from the Council, That they have made some amendm'ts to the Bill intituled an *Act For the better securing the payment of Levies and Restraint of vagrant & idle people and for the more effectual discovery & prosecution of persons having Bastard Children And for preventing unlawful Cohabitation*, to which they desire the Concurrence of this House.

And that they do recede from part of the first amendm't by them made to the Bill intituled an *Act To explain & amend the Act For declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate* And part of one other Act intituled an *Act For the distribution of Intestates Estates declaring Widows Rights to their deceased Husbands Estates & for securing Orphan's Estates*, and do insist on the other part of the s'd amendm't, & that they do recede from the other amendm't to the s'd Bill. And that part of the amendm't to the said Bill which the Council insist on, was read, & agreed unto by the House.

Order'd—That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council, & acquaint them that this House hath agreed to that part of the amendm't to the said Bill which they do insist on—

Then the House adjourn'd till *Monday morning 11. a clock.*

Monday, March 25, 1728.

MR. Conway presented a Bill *For lessning the Levy by the Poll, by paying the Salary of the Burgeffes in money*, and the same was read the first time, & order'd to be read a second time.

A Bill, *For ascertaining the Fees of certain Officers therein mentioned* was read the second time and several amendments were made to the Bill at the Table.

Order'd—That the Bill with the amendm'ts be ingrossed—

A Bill intituled an *Act For erecting a Light House on Cape Henry* was read the third time, & a blank in the Bill was filled up.

Resolved Nem: Cont. That the Bill do pass.

A Bill intituled an *Act For the better & more effectual putting the penal Laws in Execution*, was read the third time—

Resolved, That the Bill do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the said Bills to the Council & desire their Concurrence.

The

The Houfe proceeded to take into Confideration the amendm'ts made by the Council to the Bill *For the better fecuring the payment of Levies & restraint of vagrant & idle people And for the more effectual Difcovery & Profection of perfons having Bastard Children And for preventing unlawful Cohabitation* and the amendm'ts were feverally read & with an amendm't to one of them agreed unto by the Houfe—

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council, and acquaint them that this Houfe hath agreed to the amendments by them made to the faid Bill, with an amendment to one of them.

Mr *Bolling* reported That the perfons appointed had, according to order, exam'd the Claim of *Joseph Sutton* for work done in the Secretary's Office & public Goal, & were of opinion that he ought to be allowed nine pounds for the fame.

Order'd, That the fum of nine pounds be paid to *Joseph Sutton*, and that it be added to the Book of Claims.

Order'd, That the Com'ee of Claims do carry the Book of Claims to the Council, & acquaint them, That this Houfe hath agreed to all the Allowances by them propofed to be added to the faid Book, except the allowance to *Benj'a Difborow*, for the Commitment and Releaving of Prifoners, and Mr *Leheup's* account.

A Bill *For leffning the Levy by the Poll by paying the Salary of the Burgefles in money*, was read the fecond time.

Order'd, That the Bill be ingroffed—

Then the Houfe adjourn'd till to morrow morning 11. a clock.

Tuesday, March 26, 1728.

A BILL intituled *an Act For leffning the Levy by the Poll by paying the Salary of the Burgefles in money*, was read the third time.

Resolved, That the Bill do pafs.

Order'd, That Mr *Conway*, Mr *Meriwether*, Mr *Braxton*, Mr *Blair*, Mr *Syme*, Mr *Kemp*, Mr *Andrews*, Mr *Mufcoe*, & Mr *Simmons* do carry the Bill to the Council for their Concurrence.

A Meffage was brought from the Council, That they have paffed the Book of Claims.

And that they have paffed the Bill now intituled *an Act For the better fecuring the payment of Levies and Restraint of vagrants & idle people, And for the more effectual difcovery & profection of perfons having Bastard Children and for making better provision for the poor*, with the amendm'ts.

Order'd, That the Com'ee of Public Claims do carry the Book of Claims to the Governor, & defire his Affent.

The Houfe proceeded to take into confideration the amendm'ts to the Bill *To prevent loffes to Ex'ors & Adm'rs by the Sale of Negros Goods & Chattels taken in Execution For amending the Law in relation to Ex'ors & Adm'rs For maintaining Actions of Account againft Ex'ors & Adm'rs and by one Jointenant & Tenant in Common againft another Jointenant & Ten't in Common their Ex'ors & Adm'rs For impowering Fathers to difpofe of the Custody & Tuition of their Children And for the better managing & fecuring Orphans Eftates*, which the Council infist on.

And the amendments were feverally read—

Resolved, That this Houfe doth adhere to their difagreement to the amendments infistd on by the Council.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council & defire them to pafs the Bill, without the amendments to which this Houfe hath difagreed—

A Bill, intituled, *an Act For afcertaining the Fees of certain Officers therein mentioned*, was read the third time & fome amendm'ts were made thereto at the Table.

Resolved, That the Bill do pafs.

Order'd,

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council & desire their Concurrence.

Order'd, That Mr *Randolph* be added to the Com'ee for proportioning the Public Levy.

An ingrossed Bill from the Council, *For prohibiting the Exportation of Grain in time of Scarcity*, was read the second time.

And an amendment was offer'd to the Bill, by striking out part of the last Clause of the Bill.

And after a Debate the Question was put

That the amendm't be agreed to by the House.

It passed in the Negative.

Another amendm't was offer'd to the Bill, & agreed unto by the House.

Order'd, That the Bill be read a third time.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *For dissolving the present Vestry of the Parish of Eliza. City and for appointing a new Election of Vestry-men for the said parish.*

The amendm'ts were severally read & agreed unto by the House.

Order'd, That the Com'ee of Propos'ons & Griev's do carry the Bill to the Council, & acquaint them, That this House hath agreed to the amendments by them made to the Bill.

Then the House proceeded to take into consideration the amendments made by the Council to the Bill *For dissolving the present Vestry of the Parish of Accomack And for appointing a new Election of Vestry-men*, & the amendm'ts were severally read & disagreed unto by the House.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council, & acquaint them That this House hath disagreed to the amendm'ts by them made to the Bill, & desire them to pass the Bill without any amendment.

Then the House adjourn'd till to morrow morning 11 a clock.

Wednesday, March 27, 1728.

AN ingrossed Bill from the Council, intituled *an Act For prohibiting the Exportation of Grain in time of Scarcity*, was read the third time.

Resolved, That the Bill with the amendm't do pass.

Order'd, That the Com'ee of Propos'ons & Grievances do carry the Bill to the Council, & acquaint them, That this House hath agreed to the same, with some amendm'ts, to which they desire their Concurrence.

A Message was brought from the Council, That they have passed the Bill, intituled, *an Act For erecting a Light-house on Cape Henry.*

And also the Bill, intituled, *An Act For the better & more effectual putting the penal Laws in Execution*, without any amendment.

And that they have made some amendm'ts to the Bill, intituled, *an Act Declaring who shall be accounted Mulattos*, to which they desire the Concurrence of this House.

Mr *Blair*, a Member of the House, informing the House that he had been at some trouble & expence in going down to *Hampton* to view and inquire into the State of the Battery at *Point Comfort*, pursuant to an Order of this House, & moving to have an allowance for the same.

Resolved, That the matter of the said Motion be refer'd to the consideration of the next Session of Assembly.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *declaring who shall be accounted Mulattos*, and the amendm'ts were severally read.

The first amendm't was agreed to, the 2d amendm't, for so much as relates to striking out part of the Bill, was disagreed to, But the House agreed to insert the Clause proposed

posed to be made part of the Bill, after the word [degree] in the tenth line, and the Clause proposed to be added at the end of the Bill, was disagreed to by the House.

Order'd, That Mr Attorney General, Mr R. Bolling, & Mr Kemp do carry the Bill to the Council, & acquaint them that this House hath agreed to the first amendm't & that the House hath disagreed to so much of the 2d amendm't as relates to the striking out part of the Bill, But agree to insert the Clause proposed to be made part of the Bill after the word [agree] in the tenth line, and that the House hath disagreed to the Clause proposed to be added at the end of the Bill.

Then the House adjourn'd till to morrow morning 11. a clock.

Thursday, March 28, 1728.

A MESSAGE was brought from the Council, That they have agreed to the amendment made by this House to the Bill intituled *an Act For prohibiting the Exportation of Grain in time of Scarcity*.

And that they do insist on the amendm'ts by them made to the Bill intituled *an Act Declaring who shall be accounted Mulattos*, to which this House hath disagreed—

And that they do adhere to the amendm'ts by them made to the Bill intituled *an Act For dissolving the present Vestry of the Parish of Accomack and for appointing a new Election of Vestry-men*, and that they desire this House to pass the Bill with those amendments.

A petition of Mrs Elizabeth Page of London, Administratrix of her Brother John Page Esq^r deceased, was presented to the House & read, praying that the money due to her said Brother for a parcel of Land upon which part of the City of Williamsburg is built pursuant to an Act of Assembly made in the 11th year of King William the 3d, may be paid to Mann Page Esq^r her Attorney, when the true quantity of Land can be ascertained.

Resolved, That all the money due to John Page Esq^r for the Land upon which part of the City of Williamsburg was built, pursuant to an Act of Assembly made in the 11th year of the late King William the 3d be paid to Mann Page Esq^r for the use of Elija. Page adm^x of the Goods Chattels Rights & Credits of the f'd John Page dec'd, so soon as the true quantity of the said Land can be ascertained, out of the money in the hands of the Treasurer of Virginia.

Mr Attorney General reported from the Com^{ee} appointed to draw up an Address to His Majesty, & a Petition to the Parliament of Great Britain to obtain a Repeal of part of a late Act of Parliament prohibiting the Importation of Tobacco stript from the Stalks, That the Com^{ee} had prepared an Address & Petition accordingly, which he read in his place, & deliver'd in at the Table.

The address to his Majesty was read

And, after a Debate, the Question was put—

That the Address be approved by the House.

Resolved In the Affirmative.

Then a Petition To the Honorable the Knights Citizens and Burgeesses of the House of Commons assembled in Parliament was read, & agreed unto by the House.

Order'd, That the s'd Address & Petition be fairly transcribed & a Blank left for the Council, & that the Com^{ee} who prepared the same do carry the same to the Council & desire their concurrence.

A Petition of David Bray Esq^r was presented to the House & read, setting forth That a parcel of Land whereof his Father was formerly seized was taken away by an Act of Assembly made in the 11th year of the late King William, for building the City of

*Brackets are here used in the original instead of quotation marks.

of *Williamsburg*, & that part of the confideration given by the s'd Act remains unpaid, & praying that the fame may be now paid to him, when the true quantity of Land—shall be known.

Resolved, That the Ballance due to *David Bray Esq^r* for the confideration given by the Act of Afs'ly made in the 11th year of the Reign of the late King *William* for the Land taken away by that Act from the Father of the s'd *David*, for building the City of *Williamsburg*, be paid to him out of the money in the hands of the Treasurer of *Virginia* so soon as the true quantity of Land can be known.

A Motion being made That this House would come to a Resolution not to present the Bill which hath passed this House & the Council, *For laying a Duty upon Slaves*, in regard that the Council had been pleased to refuse to agree to the passing a Bill *For lessning the Levy by the Poll*, which was the true design of laying the duties by which the present Revenue in the hands of the Treasurer of *Virginia* hath been raised.

Order'd, That the s'd Motion be taken into consideration to morrow.

A Message was brought from the Council That they do agree to join with this House in the Address to His Majesty & the Petition to the House of Commons of *Great Britain* in relation to the Prohibition of Tobacco stript from the Stalks.

And that they have made some amendm'ts to the Bill intituled *an Act For preventing delays in Courts of Justice For expediting & better settling the Proceedings in the General Court and for the more speedy & easie Recovery of small debts and for repealing an Act for obliging Attornies prosecuting Suits on behalf of persons out of the Country to give security for paying all costs & Damages And declaring in what manner such Security shall be hereafter given*, to which they desire the concurrence of this House.

A Motion being made and the Question put—

That an Agent be appointed to solicit the Address of this House & the Council and their Petition to the House of Commons of *Great Britain* in relation to the Prohibition of Tobacco stript from the Stalks,

Resolved In the Affirmative

Resolved, That Mr *John Randolph* be appointed the Agent to solicit the s'd Address & Petition in behalf of this Country.—

Order'd, That Mr *Burges* have leave to go home.

The House proceeded to take into consideration the amendm'ts made by the Council to the Bill *For preventing delays in Courts of Justice*, & the amendm'ts were severally read & agreed unto by the House.

Order'd, That the Com'ee for Courts of Justice do carry the Bill to the Council & acquaint them that this House hath agreed to the amendm'ts by them made to the said Bill.

Order'd, That it be an Instruction to the Com'ee appointed to draw up an Address to the Gov'r to prepare a Clause to be added to the s'd Address to give the Gov'r an account of the proceedings of this House, during this Session.

Then the House adjourn'd till to morrow morning—11. a Clock.

Friday, March 29, 1728.

A MESSAGE was brought from the Council That they have made some amendm'ts to the Bill *For ascertaining the Fees of certain Officers therein mentioned*, to which they desire the concurrence of this House.

The amendm'ts were severally read.

And all the amendm'ts for increasing the Fees settled in the Bill were disagreed to by the House, & the other amendm'ts were agreed to by the House.

Order'd, That the Com'ee of Propos'ons & Griev'ces do carry the Bill to the Council & acquaint them that this House hath disagreed to all the amendm'ts for increasing the Fees settled in the Bill & that they do agree to all the other amendm'ts. And the Bill was passed by the Council with those amendm'ts.

Resolved,

Resolved, That the several fums following be paid to Mr *John Randolph* Clerk of this Houfe for the feveral Copies of the Laws & Journals of this Seffion of Affembly, to be made out by him by the duty of his office, *viz't*

For thirty Copies of the Laws of this Seffion to be fent to the feveral Counties of this Colony.....	£ 150.—.—
For four Copies of the Laws of this Seffion to be deliv'd to the Gov'r....	20.—.—
For one Copy of the Laws of this Seffion to be delivered to the Clerk of the Secretary's Office.....	5.—.—
For four Copies of the Journal of this Seffion to be deliv'd to the Gov'r..	10.—.—
For one Copy of the Journal of this Seffion deliv'd to the Speaker.....	2..10.—

Order'd, That the fum of one hundred eighty feven pounds ten fhillings be paid to Mr *John Randolph* Clerk of this Houfe out of the money in the hands of the Treasurer for the s'd Services.

Resolved, That the fum of Ten pounds be paid to Mr *Blair*, a Member of this Houfe for his expence & Trouble in going to *Hampton* to view the Battery at Point *Comfort*, purfuant to an order of this Houfe.—

Order'd, That the Com'ee of Propofitions & Grievances do carry the s'd Refolves & all other Refolves of this Houfe for paying any fums of mony out of the Treafury, to the Council, & defire their concurrence.

Mr *Harrifon* reported from the Com'ee appointed to draw up an Addrefs to be prefented to the Governor, That the Com'ee had drawn up an Addrefs accordingly, which he read in his place & afterwards deliver'd it in at the Table, where it was read & agreed to by the Houfe as follows.

May it please Your Honour

The Houfe of Burgeffes of *Virginia* beg leave to lay before you an account of our proceedings during this long Seffion of Affembly, wherein we have, in the firft place, taken into our confideration the feveral important matters recommended to us in Your Speech at the Opening of this Affembly.

We concur with you in Opinion that the maintaining a Battery at Point *Comfort* will greatly contribute to the Safety & Prefervation of the Trade & Navigation of this Colony; But finding upon a ftrict & diligent Inquiry that one of the purpofes for giving the Duties of Two fhillings per hoghead upon Tobacco & Fifteen per Ton upon fhipping was, For maintaining Ports for the Defence of the Country, & that this Battery hath heretofore been built & maintained out of that Revenue, & not underftanding that there is any deficiency therein, we have *Resolved*, That it is not neceffary at this Juncture to contribute any thing towards defraying the charge of rebuilding the fame, But hope you will think it expedient to defray the expence of fo ufeul & neceffary a Work out of the proper Fund.

The great ufe & advantages of Light houfes in other parts of the World are fo very obvious to every body, that we have unanimoufly paffed a Bill *For erecting a Light houfe on Cape Henry*, with a Clause to fufpend the Execution thereof until the Affembly of *Maryland* fhall think fit to agree to lay the fame Duty upon the fhipping of that Province for the building & maintaining the fame as is impofed upon the Ships trading to this Colony, & until His Majefty's Pleafure fhall be known: Not doubting but by Your good Offices with that Government & the Miniftry in *England*, this Bill may in a fhort time have its Effect.

We have likewife paffed a Bill, whereby we hope all occafions of Delay in the Courts of Juftice will be in great meafure removed, & many defects of former Laws are amended.

The prefent State of our Tobacco Trade made it neceffary to make a further provision for improving of this Staple, And as the laft Law, which expires with this Seffion, has been found by experience very beneficial to the Country we have chiefly purfued the Plan of that Law, with fome neceffary Alterations & Amendm'ts.

Befides this Bill we have drawn up an Addrefs to His Majefty & a Petition to the Houfe of Commons of *Great Britain* to obtain a Repeal of part of a late Act of Parliam^t

ment prohibiting the Importation of Tobacco stript from the stalk, which, we conceive, would be a very considerable advantage as well to the Customs in *England*, as to all the People concern'd in that Commodity. And as you have been pleas'd to discover so good a Disposition to advance the Trade & Prosperity of this Colony, We hope You will afford us all the Assistance in Your Power to Mr *John Randolph*, whom we have appointed our Agent to solicit this Business.

We have pass'd several other Bills which we found very much desired by the People we represent: And we trust they are formed in such a manner as will effectually answer the Purposes for which they have been made.

We further beg leave on this occasion to acquaint Your Honour That this House from a due consideration of Your eminent Virtues, and a just Regard to Your Personal Merit, have cheerfully & freely Resolved to give Your Honor the sum of Five hundred pounds And hope you will be pleas'd to accept of it as a special Acknowledgement from the people of *Virginia* of the just Sense they have of Your Regard for them, and the Interest & Prosperity of this Colony.

Resolved, That the said address be presented to the Governor when this House attend him to present the Bills which have pass'd this Session for his assent.

Mr *Escribde* reported from the Com'ee for proportioning the Public Levy, That the Com'ee had proportioned the same accordingly & agreed upon a Report which he deliver'd in at the Table where it was read & agreed to by the House.

Order'd, That the s'd Com'ee do carry the same to the Council & desire their concurrence.

A Bill *For raising a Public Levy* was read the first time & order'd to be read a second time.

The Bill was read a second time & order'd to be ingrossed.

Order'd, That Mr *Kemp* Mr *Thacker* Mr *Stith* Mr *John Robinson* Mr *Ball*, & Mr *Syme* do examine the inrolled Bills.—

Then the House adjourn'd till to morrow morning—11. a clock.—

Saturday, March 30, 1728.

A MESSAGE was brought from the Council That they had agreed to the Book of Proportions, & also to the Resolves for paying several sums of money out of the Treasury, sent up yesterday, to which the Governor hath assented.

And that the Council propose, That this House would allow their Clerk for four Copies of the Journal of the Council during this Session, which he is by the duty of his Office to deliver to the Governor, as the Clerk of this House is allowed for the same service.

Resolved, That the sum of Ten pounds be paid to Mr *Wm. Robertson*, Clerk of the Council for four Copies of the Journal of the Council, during this Session, to be deliver'd to the Governor.

A Bill *for raising a Public Levy* was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Com'ee who prepared the Bill do carry the same to the Council for their concurrence.

A message was brought from the Council That they have pass'd the Bill intit'd *an Act For raising a Public Levy*, without any amendm't.

Mr *Kemp* reported That the persons appointed had according to order exam'd the inrolled Bills, & found the same truly inroll'd.—

Order'd, That the persons who examined the said inrolled Bills do carry the same to the Council for their Inspection.

A Message was brought from the Council, That they were satisfied the several Bills which have been pass'd by them & this House, are truly inroll'd.

A Message from the Governor was deliver'd by Mr *Robertson*

Mr *Speaker* The Governor commands the immediate attendance of this House in the Council Chamber, and that you bring with you such Bills as are ready for his Assent.

And the House went up accordingly, and Mr *Speaker* presented the Address of this House to the Governor, together with the Address to His Majesty.

Whereupon the Governor was pleased to say, as follows,

Mr *Speaker & Gentlemen of the House of Burgeesses,*

I shall use my best endeavours effectually to introduce your Address to His Majesty and your Petition to the Parliament of *Great Britain*, I am obliged to you for your concurrence & Determination to the several points I recommended to your consideration at the opening of this Session & agree with you, that you can't place the Affairs which relate to the Interest of this Colony, in better hands than Mr *Randolph's*, who will shortly go for *England*.

And afterwards the Governor was pleased to give his Assent to the follow'g Public & Private Bills, viz't.

An Aâ For laying a Duty on Slaves imported and for appointing a Treasurer.

An Aâ For erecting a Light house on Cape Henry.

An Aâ For preventing delays in Courts of Justice For expediting and better settling the proceedings in the General Court and for the more speedy & easie Recovery of small debts and for repealing an Aâ For obliging Attornies prosecuting suits on behalf of persons out of the Country to give Security for paying all Costs & Damages And declaring in what manner such Security shall be hereafter given.—

An Aâ For the better & more effectual improving the Staple of Tobacco.

An Aâ For making more effectual provisions against Invasions and Insurrections.

An Aâ For the better support of the Clergy of this Dominion & for the more regular collecting & paying the Parish Levies.

An Aâ For the better securing the payment of Levies and Restraint of vagrant & idle People And for the more effectual discovery & Prosecution of Persons having Bastard Children And for making better Provision for the Poor.

An Aâ For preventing of excessive and deceitful Gaming.—

An Aâ For the better regulating & ascertaining the current rates of Silver Coin within this Dominion and For preventing the evil practice of cutting Forrain Gold into pieces.

An Aâ For prohibiting the Exportation of Grain in time of Scarcity.

An Aâ To explain & Amend the Aâ For declaring the Negro Mulatto & Indian Slaves within this Dominion to be Real Estate And part of one other Aâ intituled an Aâ For the distribution of Intestates Estates declaring Widows Rights to their deceased Husband's Estates, and for securing Orphan's Estates.

An Aâ For ascertaining the Fees of certain Officers therein mentioned.

An Aâ For encouraging Adventurers in Iron Works.

An Aâ For the better & more effectual putting the penal Laws in Execution.

An Aâ For raising a Public Levy.

An Aâ For erecting a new County on the heads of Essex King & Queen & King Wm. Counties & for calling the same Caroline County.

An Aâ For dividing the County of Henrico.—

An Aâ For dissolving the present Vestry of the Parish of Elizabeth City and for appointing a new Election of Vestry men for the said Parish.

An Aâ For Killing Squirrels & Crows in the Counties of Accomack & Northampton.

An Aâ For erecting a Town in each of the Counties of Spotylvania and King George.

An Aâ To prevent Swine running at large within the limits of the Town of Norfolk. &

An Aâ For enabling William Farrar & Thomas Farrar to sell & convey certain intailed Lands and to settle other Lands & Negros of greater value to the same uses.

And then he was pleased to make the following Speech,

Gentlemen

*Gentlemen of the Council,
M^r Speaker & Gentⁿ of the House of Burgeffes.*

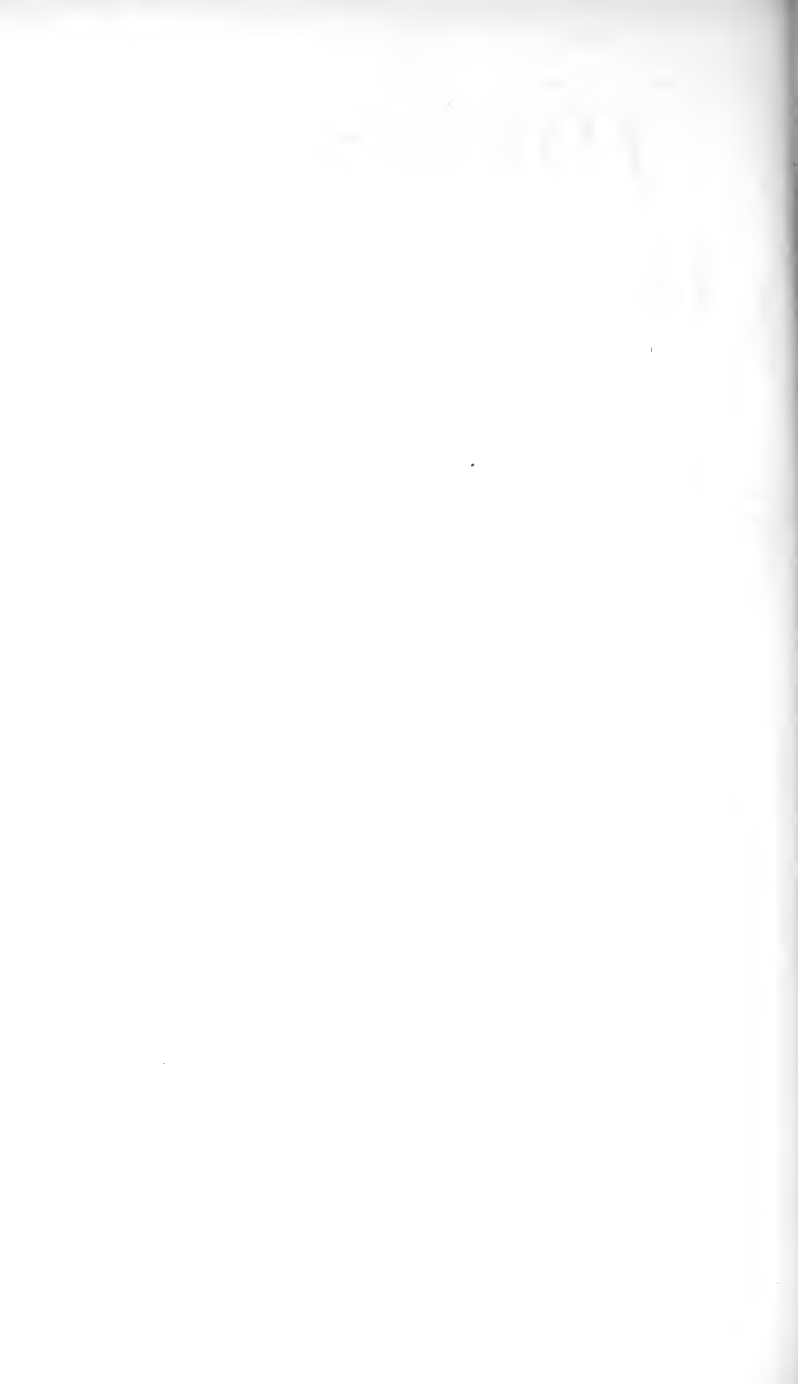
I return you my hearty thanks for the great Zeal & Diligence you have shewed in the dispatch of the Public Affairs, and in a particular manner for the many Instances of your Good Will towards me, that extraordinary Proof of your Affection for me, & for the Confidence your are pleased to repose in me, which shall in due time be faithfully discharged in repairing the Fort & building the Light house so much wanted for the security of our Country & Trade.

As I have done nothing hitherto but what is the Result of my Duty, how pleasant must the Reflection needs be, when my Behavior, so highly approved of by you, & in which my Conscience Honor & Interest as well as Gratitude are equally concern'd, is what exactly agrees with the Intentions of my Royal Master, & will not fail to render my Administration acceptable to that Prince, who consummates his Throne in the hearts of his People.

The great Business of your Meeting being now finish'd, and the Season calling you to your respective Counties, let the Fear of God & the Honor of Our Soverain, the encouragement of Virtue & the Abolition of Vice, Motives of themselves sufficient to excite your Attention, let these regulate all your Actions: This we shall find to be both for our Interest & Credit: common Observation confirming it, as well as the Lips of Truth it self, that Righteousness exalts, but Sin is a Reproach to any People. And as you may confidently depend upon it that these precepts shall alwaies visibly appear in my Practice, so I promise my self yours will be agreeable to them, that if it shall please God we meet again, we may find our selves in a proper temper unanimously to proceed in fixing the Wellfare & Prosperity of this Dominion on the best and surest Foundations.

And now, *Gentlemen*, nothing remains but for me to acquaint you that I have thought fit to prorogue you to *Thursday* the 14th of *November* next.

And this Assembly is accordingly prorogued to *Thursday* the 14th day of *November* next.



THE
JOURNAL
OF THE
HOUSE OF BURGESSES.
AT A
GENERAL ASSEMBLY,

Begun and held at WILLIAMSBURG the first Day of February in the first Year of the Reign of Our Sovereign Lord GEORGE the Second by the Grace of God of *Great Britain France and Ireland* King Defender of the faith &c And in the Year of Our Lord MDCCXXVIJ And from thence Continued by Several Prorogations to the twenty first Day of *May* in the Third Year of the Reign of Our Said Lord the King now. And in the Year of Our Lord MDCCXXX

Being the Second Session of this present Gen'l Assembly.



RICHMOND, VIRGINIA.

MCMX



THE
JOURNAL
OF THE
HOUSE OF BURGESSES

Thursday, May 21, 1730.

THE Members return'd upon New Writs for the Counties of *Caroline* and *Goochland* and for the College of *William and Mary* having taken the Oaths and Subscribed the Declaration and took and Subscribed the Oath of Abjuration, Pursuant to the Laws made for those Purposes took their places in the House.

A Message from the Governor was deliver'd by Mr *Robertson*.

Mr *Speaker*, The Governor Commands the immediate attendance of this House in the Council Chamber.

Accordingly Mr *Speaker* with the House went up to attend the Governor

And being return'd Mr *Speaker* Reported that the House had attended the Governor who was pleas'd to make a speech to the Council and this House, which being long to prevent mistakes he had obtain'd a Copy of it, and it was read to the House and is as follows.

Gentlemen of the Council Mr Speaker and Gentlemen of the House of Burgessees.

The design of our meeting being to promote the Welfare and Prosperity of this Province, by framing of such Laws as your Wisdom shall suggest to you; A more suitable Occasion for the Consideration of the advantages which will arise to this Country from a prudent Regulation of your Trade, could not have happen'd, than at the time when by the good management of our Sovereign, and the Vigilance of his Ministers a Peace with *Spain* is happily concluded and all things are making towards a general Pacification.

IN so Inviting and promising a Season for success to your Endeavours to Justice to your Country by taking its Commerce into your Care and Protection: And be convinc'd from the miserable Circumstances your Staple is reduc'd to, Of the necessity and Importance of that Inquiry on which your own Fortunes and Estates as well as those of your Constituents do principally depend. And that I may not be wanting in the discharge of my Duty to a People whom I delight to serve.

I shall lay before you a Scheme which as far as I am capable of Judging will effectually support the design it is brought to succor; especially since it may be improv'd by your better observation, and Practical knowledge to which I chuse to submit it. For altho I am convinc'd if we were to look back the mischiefs in that melancholly view would be so many Incentives to a greater Caution in future Legislation. Yet I shall neither deplore the wretched Condition your Trade is in at present nor Expatriate on the flourishing State that must Evidently follow from such a Law; because by the one I might be Censur'd for blaming what Experience can only best Correct; And the other would

would look like limittin your Judgements in favour of this Formulary and both together but a needles Subserviency to Introduce a Scheme to Gentlemen fo Capable of Judging for themselves.

AND since whatever Acts you prepare will have no long Continuance if they are difagreeable to the *Brittish* Trade. It is with great fatisfaction I can acquaint you, the Scheme I now recommend has been already approv'd at home: You may therefore with chearfulness fupply your thoughts to the framing of a Bill on this Project fecure from Opposition where the Interests of the Merchants Concurr with yours. And it is like to be attended with the better Succes in that our *Maryland* Neighbours appear strongly difpofed to fall into the fame Measures.

I AM perfwaded every one of you will acquit me of any Sinifter or private views in urging to zealoufly the Amendment of your Tobacco Trade for it is purely my concern for the general Prosperity of this Colony which Engages me herein and will always prompt me to be anxious for its true Interests, and to do every thing in my power to oblige every Member of the Community, acting by the fame Principle, however we may differ in the means to accomplifh the fame end.

BUT as like purpofes require like difpofitions give me leave to befpeak the fame temper and Unanimity with which you proceeded in the Service of the Publick the laft Seffion For no lefs Addrefs will be requifite in Adjusting an Affair attended with fuch variety of Circumftances and Pretences.

I have two Inftuctions to lay before you Copies of which fhall be prepared for that purpofe; One concerns the honour of Almighty God not yet by Law fufficiently fecur'd, but am fatisfied will no longer want your defence; the other relates to Bankrupts in *England* having Eftates in this Country.

AND as in the late Repealed Law for limittin Suits on Judg'ments and Obligations there were many beneficial Claufes which may be Re-enacted without giving offence, you will no doubt think it neceffary to prepare a New Bill fuitable to the Circumftances of the Country without meddling with thofe parts repugnant to the Statutes of *Great Britain* for which the former Law was Repealed.

IT will alfo be worthy your Confideration to inflict adequate punifhments on fuch Offenders as are guilty of the Felonious burning of Tobacco houfes, and on robbers of Stores and Ware-houfes practices now become very frequent and I am afraid too much encouraged by allowing the benefit of the Clergy to fuch Criminals; efpecially fince fo many Imported Convicts are come among us who make light of the punifhment the Law in that cafe inflicts.

Gentlemen of the Houfe of Burgefles

AS I have Reafon to Conclude that your Rewards will always be grounded upon a Principle of Juftice; It will be fufficient for me to obferve to you that *John Randolph* Efqr to whole Abilities and Active Application the fuccefs of your Addrefs and Petition is in a great Meafure to be afcribed, has befides his Service a Claim by Perfonal Merit to which his recompence ought to be proportioned.

Gentlemen of the Council and Houfe of Burgefles

WE have now the Comfort to find that we promif'd our felves on account of that Excellent Character, with which our common Sovereign afcended the *Brittish* Throne and whence we hoped for all the Felicity that could be expected under the Government of the moft Amiable Monarch; We did not promife our felves in vain; Our expectation is made good by our Experience; we could not hope for more than we have, nor wifh for more than we enjoy; Our Religion is not only fafe but flourifhing while he prefides who is the great Example as well as Guardian of it; Our Liberties are fecure while we live under a Prince who esteems it his greateft Glory to rule over a free People; nor need we fear an Invaſion of our Properties while he Commands who by the Wiſdom and Juftice of his Adminiftration Protects them: and by his Vigilance and Courage will always guard them.

BY such a Character and such a Conduct it is that our Sovereign Unites the hearts of his Subjects at home; and strengthens the confidence of his Allies abroad; that he softens and subdues whatever Envy or Opposition had conceived against him.

UNDER an Influence so Extensive as well as Gracious no wonder if we partake of those Advantages and Blessings, that flow from it, But as by Reason of our distance some of those must be Communicated to you, by him in whose hands his Majesty has been pleased to lodge the Government of this Colony, it shall be my great endeavour (tho' great I fear will be the distance) to tread in my Royal Masters steps. To such a Conduct my Duty to my Sovereign will always bind me; And if a stronger Obligation than that could be laid upon me It must and would arise from my Gratitude to you; for surely I can say it to your Credit and my own comfort that a more Respectful and obliging behaviour, than that which you have hitherto expressed to me I could not have wished or hoped for. Let us thus go on in Reciprocal Affection; Let us fear God; honour the King: and love one another; for a more agreeable Prospect I can never pretend to propose to you than that of a People United among themselves; depending on the Providence of God; and sure of the Care and favour of their Prince.

Mr *Speaker* also acquainted the house that he had obtained a Copy of the Scheme mention'd in the Governors speech which he laid before the House.

Order'd, That the same do lie upon the Table for the perusal of the Members.

Resolved, That an Humble Address be presented to the Governor to return him the Thanks of this House for his Affectionate Speech.

Resolved, That a Committee be appointed to draw up an Address accordingly and it is referred to the Committee for Propositions and Grievances.

Order'd, That all the standing Committees of the last Session be revived and they are to meet and Adjourn from day to day and to have power to send for persons papers and Records.

Resolved, That this House will take the Governors speech into consideration to morrow.

Resolved, That Mr *Richard Hickman* be appointed Clerk to the Committee for Propositions and Grievances in the room of Mr *Godfrey Pole* Deceased and that all the other Clerks and Officers of the House be continued in their several Offices.

Order'd, That the Chaplain of this House do [do] attend to read prayers every Morning at nine of the Clock and that Mr *Attorney* and Mr *Bolling* do acquaint the Governor and Council with this Order.

Then the House adjourn'd 'till to morrow Morning Ten a Clock.

Fryday, May 22, 1730.

MR. *Attorney General* Reported from the Committee appointed to draw up an Address to be presented to the Governor that the Committee had prepar'd an Address accordingly which he read in his place and afterwards deliver'd it in at the Table, where the same was read and agreed to by the House as follows

To the Honorable WILLIAM GOOCH Esq^r His Majesties Lieutenant Governor and Commander in chief of Virginia.

S'R

His Majesties most dutiful and Loyal Subjects, the Burgeesses of *Virginia* now met in a General Assembly, Humbly return you our sincere thanks for your Affectionate Speech: And as his Majesties unwearied Endeavours, and the great Abilities of his Ministers have at length succeeded in the Conclusion of a Peace with *Spain*, and all things are now tending to a general Pacification; We are Assur'd, We shall in a great degree share with the rest of the *British* Subjects, the Advantages of so happy an Event; So we cannot be insensible of the necessity of considering in such a Conjunction the

miserable

miferable Circumftances our Staple is reduc'd to, and of doing all that is in our power to put our Trade under fuch a Regulation as may remove from it thofe mifchiefs, which are now become a burthen intolerable to us and thofe we represent. The pleafure you take in ferving the People, over whom his Majefties great Goodnefs has placed you, without any Sinifter or private views and your knowledge and judgment in the Affairs and Interests of this Colony, will ever difpofe us to Entertain a good Opinion of every thing you fhall concert and propofe to us.

Your Example in weighing and Examining all things in your Adminiftration with Calmnefs and Difinterestedsnefs, muft Engage us to purfue the fame methods in all our Counfels and Confultations; And as we cannot doubt but the fame purpofes and Difpofitions on both fides will in the end produce thofe good Effects which always refult from Unanimity and Concord, So we fhall upon all occafions endeavour to approve our felves worthy the care and favour of our Sovereign, And of that regard which in every part of your Conduct you exprefs for us and all the People of *Virginia*

Refolved, That the faid Addrefs be prefented to the Governor by the whole Houfe.

Order'd, That the Committee who prepared the faid Addrefs do humbly know the Governors pleafure when he will be attended by this Houfe.

The Houfe being acquainted that feveral of the Members of this Houfe fince the laft Seflion have accepted Commiffions to be Sheriffs for feveral Counties and do now hold that Office

Order'd, That a Committee be appointed to Infpect the Journals of the Houfe of Burgeffes and fearch for Precedents as to this matter and Report how they find the fame to the Houfe and it is Referred to

Mr Meriwether

Mr Conway

Mr Randolph

Mr Attorney Gen'l

Mr Kemp

Mr Lee

Mr Burges

Mr Braxton

Mr Buckner

Mr Attorney General Reported to the Houfe that the Governor having been waited upon (purfuant to the Order of this day humbly to know when he would pleafe to be attended by this Houfe He had been pleas'd to appoint to morrow between Eleven and Twelve in the Council Chamber

The Order of the Day being read for confidering the Governors fpeech The Houfe Refolv'd it felf into a Committee of the whole Houfe to confider the faid fpeech, And after fome time fpent therein Mr *Speaker* Refumed the Chair And Mr Conway Reported from the Committee that they had had under their Confideration feveral parts of the Governors fpeech, and were come to feveral Refolutions thereupon which the Committee had directed him to Report to the Houfe And he read the Report in his place and afterwards delivered it in at the Table where the fame was read and agreed unto by the Houfe as follows.

Refolved, That a Bill be prepar'd for amending the Staple of Tobacco

Refolved, That the Scheme mention'd in the Governors Speech and laid before the Houfe be referr'd to a Committee to whom it fhall be referr'd to prepare and bring in the faid Bill.

Refolv'd, That a Bill be prepar'd for Re-enacting fuch parts of the Act Intituled *an Act declaring how long Judgments, Bonds, Obligations and Accounts fhall be in force for the Affignment of Bonds and Obligations directing what proof fhall be fufficient in fuch cafes and afcertaining the damage upon protested Bills of Exchange lately repealed by Proclamation*, to which there was no objection in *England*.

Refolv'd, That a Bill be prepar'd to make it Felony without benefit of Clergy to burn or break open and Rob any Store houfe Warehoufe or Tobacco houfe and for making all Acceffories to fuch Offences liable to the fame pains and penalties as the principle might be, Altho fuch principal be not Convicted or Attainted.

Order'd,

Order'd, That a Committee be appointed to prepare and bring in the said Bill for amending the Staple of Tobacco, and it is referr'd to

M^r Attorney General

M^r Meriwether

M^r Robt. Bolling

M^r Kemp

M^r Blair

M^r Escribde

M^r Buckner

M^r Braxton

M^r Lee.

And they are to meet and Adjorn from day to day and to have power to fend for persons papers and Records.

Order'd, That the Scheme laid before this Houfe by the Governor be referr'd to the said Committee.

Order'd, That the Committee for Courts of Juftice do prepare and bring in Bills upon the other Refolutions aforefaid. *M^r Conway* alfo acquainted the Houfe that he was directed by the Committee to move that they may have leave to fit again.

Refolv'd, That this Houfe will upon *Tuesday* morning next, refolve it felf into a Committee of the whole Houfe to confider further of the Governors Speech.

Then the Houfe Adjorn'd 'till Eleven a Clock to morrow morning.

Saturday, May 23, 1730.

M*R. Speaker* Reported that the Houfe had attended the Governor with their Addrefs to which he was pleas'd to give this Anfwer.

"M^r Speaker and Gentlemen of the Houfe of Burgeffes,

"I heartily thank you for this obliging Addrefs: I cannot receive a "greater pleafure than to find my Adminiftration agreeable to you: And your good "Opinion of my endeavours to ferve you will always incite my care and Diligence in the "purfuit of the true Intereft of thofe you Reprefent; I doubt not your future delibera- "tions will be fuitable to fo promifing a beginning of your Seffion. And that there will "be no other contention among us than who fhall moft promote the Publick benefit of "the Colony.

M^r Attorney General reported from the Committee of Propofitions and Grievances that the Committee had had under their confideration feveral propofitions from the Counties of *York Henrico Hanover Lancafter and Northumberland* and had agreed upon a Report which he read in his place and afterwards deliver'd the fame in at the Table where it was again read.

The faid Report being read a fecond time

Order'd, That Leave be given to bring in a Bill for repealing the *Act for improving the Staple of Tobacco* and that the Committee of Propofitions and Grievances do prepare and bring in the faid Bill.

Order'd, That it be an Inftruction to the faid Committee to bring in a Clause or Claufes to be added to the faid Bill for the better preventing the making of Seconds.

Order'd, That the Propofition from the County of *Henrico* for Improving the Tobacco Trade be Referr'd to the Committee appointed to prepare and bring in a Bill for amending the Staple of Tobacco.

Refolv'd, That the feveral Propofitions from *Hanover Lancafter and Northumberland* for a further Stint of the number of Tobacco Plants be rejected.

Order'd, That Leave be given to bring in a Bill for the Encouraging the making of Linen Cloath

Order'd, That Leave be given to bring in a Bill for deftroying Crows and Squirrels in the Countys of *Northumberland Lancafter Prince George James City and Glofter and Middlefex* and that the Committee of Propofitions and Grievances do prepare and bring in the faid Bills.

Then the Houfe adjorn'd till *Monday* Morning Eleven a Clock.

Monday,

Monday, May 25, 1730.

M^{R.} *Treasurer* laid his Accounts of the Publick Money before the House.
 M^r *Escribde* reported from the Committee for Privileges and Elections that the Committee pursuant to a standing Order of the House having had under their Consideration the returns of several new Writs for Electing of Burgeffes to serve in this present General Assembly, had agreed upon a Report which he read in his place and afterwards deliver'd the same in at the Table, where it was again read as follows.

That upon the Acts of Assembly of the last Session of Assembly for Erecting two new Counties called *Caroline* and *Goochland*, Writs were Issued to the Sheriffs of the said Counties respectively to Elect two Burgeffes to serve in this present General Assembly for each of the said Counties.

That thereupon *John Martin* and *Richard Buckner* Gent are return'd Burgeffes to serve in this General Assembly for the County of *Caroline*.

That *John Fleming* and *Dudly Diggs* Gentlemen are return'd Burgeffes to serve in this General Assembly for the County of *Goochland*.

That since the last Session the College of *William* and *Mary* hath been Transferred by the Trustees to the President and Masters, and pursuant to the Charter of the said College a Writ Issued for Electing one Burgefs for the said College.

And thereupon *George Nicholas* Gentleman is return'd a Burgefs to serve in this present General Assembly for the College of *William* and *Mary*

All which Returns are according to Law

And the said Report was approv'd by the House.

M^r *Attorney General* according to order presented to the House a Bill for killing *Squirrels and Crows in the Counties therein mention'd* and the same was read the first time and Order'd to be read a Second time.

Then the House adjorn'd 'till to morrow Morning Eleven a Clock.

Tuesday, May 26, 1730.

M^{R.} *Harrison* according to Order presented to the House a Bill for Repealing the Act for the better and more effectual improving the Staple of Tobacco and for the better execution of the Laws now in force against tending Seconds and for the further prevention thereof and the same was read the first time and order'd to be read a Second time.

M^r *Meriwether* Reported from the Committee appointed to inspect the Journals of the House of Burgeffes and to search Precedents as to Members of this House accepting the Office of Sherifs the matter as it appear'd to the Committee and he read the Report in his place and afterwards delivered it in at the Table where it was again read as follows

That the Committee do find in the Journals of a Session of Assembly held at *James City* the 23 of *April* 1696 one Resolve made in these words to wit.

"Resolv'd that Captain *Richard Whitaker* is duly Elect'd a Burgefs to serve in this Assembly for *Warwick County* in the room of M^r *William Roscow* now Sherif of the said County" And one Order in these words. "Order'd that M^r *Randolph* M^r *Diggs* M^r *Storey* and M^r *Chamberlayn* at some convenient time wait upon his Excellency and pray his Excellency to Issue out a new Writ for the Election of a Burgefs in *Stafford County* in the room of M^r *Martin Scarlet* who since the Election made of him in the Room of Captain *Thomas Owsley* now Sherif of the said County of *Stafford* is Deceas'd" And that the Committee do not find any other Precedent touching the matter to them Referred.

The said Report being read a Second time

Order'd, That leave be given to bring in a Bill to disable any Sherif or any other person to sit as a Member of this House who shall accept any Office of profit by the appointment

appointment of the Governor of this Colony after his Election to serve as a Burgess in the General Assembly and exempting all the Members of the House of Burgesses from being made Sheriffs and that the Committee of Propositions and Grievances do prepare and bring in the said Bill.

A Petition of the *German Inhabitants of the German Town in the County of Stafford* Setting forth that they have for several Years maintain'd a Minister of their own Nation and yet have lately been taxed for the paying the Salary of the Parson of the Parish in which the said Town lies, And praying to be Exempted from that Tax during the life of Mr *Hager* their said Minister, being refer'd from the Governor and Council was read.

Order'd, That leave be given to bring in a Bill according to the Prayer of the said Petition and that Mr *Fitzhugh* and Mr *Thornton* do prepare and bring in the said Bill.

A Petition of *William Harrison* setting forth that he hath lately sustain'd a great loss by the burning of a Tobacco house wherein was a great quantity of Tobacco and other things which were burnt by several Negroes whom he had punished as a Justice of the Peace, for Assembling with great numbers of other Negroes against the Laws of the Colony, and praying relief being refer'd from the Governor and Council was read.

Order'd, That the said Petition be refer'd to the consideration of the Committee for Publick Claims and that they do Examine the matter thereof and Report the same with their Opinion thereupon to the House.

The House being inform'd that the persons concern'd in the burning the said House were discover'd and brought to Justice by the means of *Peter* a Negro belonging to *Nicholas Hatch*.

Order'd, That the said Committee do examine into that matter.

And Report their Opinion thereupon to the House, in what manner it may be fit for this House to reward the said Negro.

A Bill for *killing Squirrels and Crows in the Counties therein mentioned* was read the Second time, and several Amendments were made to the Bill at the Table.

Order'd, That the Bill with the Amendments be Ingrossed.

The Order of the day being read, The House Resolv'd it self into a Committee of the whole House to consider further of the Governors speech and after some time spent therein Mr *Speaker* resum'd the Chair and Mr *Conway* Reported from the Committee that they had gone thro the Governors speech and agreed upon a Report which he read in his Place and afterwards deliver'd the same in at the Table where it was again read.

The said report being read a Second Time

Order'd, That Leave be given for bringing in a Bill for the further punishing Vice and Immorality And that the Committee of propositions and Grievances do prepare and bring in the said Bill.

Order'd, That the providing proper methods for Erecting and maintaining Schools in order to the training up of Youths to Reading and to a necessary knowledge of the Principles of Religion and to encourage the Conversion of Negroes and Indians to the Christian Religion

And the making a Law in relation to Bankrupts be Refer'd to the Consideration of the next Session of Assembly.

Resolv'd Nemine Contradicente That the Sum of One thousand Pounds be paid to *John Randolph* Esq^r for defraying his Expenses in *Great Britain* and his late Voyage thither and returning; And as a Recompence for his faithful and Industrious Application there in the service of this Colony according to the trust reposed in him; Whereby was obtain'd the Repeal of a Clause of an Act of Parliament made in the Ninth Reign of the late King *George* the first, prohibiting the Importation of Tobacco stript from the Stalk or Stem into *Great Britain*.

Order'd, That the said Sum of One Thousand Pounds be paid to him out of the Publick Money in the hands of the Treasurer.

Order'd, That the Committee of Propositions and Grievances do carry the said Resolve and Order to the Governor and Council and desire their Concurrence thereto.

Order'd,

Order'd, That Mr *Speaker* from the Chair do let him know how sensible the House is of his personal Merit and in behalf of the People return him the thanks of this House. Which Mr *Speaker* did accordingly.

Resolv'd, That an humble Address be prepared to be presented to His Majesty to Congratulate His Majesty upon the safe Arrival of His Royal Highness *Frederic Prince of Wales*; And upon the Success of his Endeavours for the good of his People in the happy Conclusion of a Peace with *Spain*; To acknowledge the Extensive Influence of his Majesties continual Care and Gracious favour to all his Subjects And the peculiar Felicity of the People of this Colony in Enjoying every thing We can desire from his Majesties Auspicious Government; And to return to his Majesty the unfeigned thanks of the People of this Colony for the same

Order'd, That Mr *Randolphs* Narrative of his proceedings in Negotiating the Affairs of this Colony in *England* pursuant to the Order of this House in the last Session of Assembly be printed.

A Petition of *Henry Cary* praying to be Enabled to sell certain Entailed Lands upon his settling Fee simple Lands of greater Value to the same uses was presented to the House and read.

Order'd, That the said Petition be refer'd to the consideration of a Committee and that they do Examine the matter thereof and Report the same as it shall appear to them to the House.

And it is refer'd to

Mr *Flemming*

Mr *Diggs*

Mr *Randolph*

Mr *John Bolling*

Mr *Law Smith*

Mr *Robert Armistead*

Mr *Hollier*

Mr *Egglestone*

and

Mr *Eaton*

Mr *Harrison* reported from the Committee of Propositions & Grievances that the Committee had had under their consideration several propositions from several Counties and had agreed upon a Report which he read in his place and afterwards deliver'd it in at the Table, where the same was again read.

Order'd, That the said Report be taken into consideration to morrow.

Then the House adjourn'd till to morrow Morning Eleven a Clock.

Wednesday, May the 27, 1730.

A WRITTEN Message from the Governor was deliver'd by Mr *Robertson*.
Mr *Speaker and Gentlemen of the House of Burgeffes*

"In the Month of *December 1728* the Southern Frontier of this Colony "being greatly Alarm'd by the Appearance of a body of *Indians* and the Murder of one of the Inhabitants for which the *Sapponie Indians* then gone out a hunting "were suspected. It was thought proper to Detach a party of the Militia in search of the "said *Indians*, and to scour the Frontiers of such parties either of Tributary or Forrein "Nations as might be lurking there with intent to do further mischief. Accordingly "one Captain *Henry Embry* with Thirty Seven Men of the Militia of *Surry County* (whose "names are contained in a List herewith sent) were Detached on that Service, and were "out five days; Whereby they are become Entitled to the pay allow'd by Law in the "like Cases: I therefore recommend their Service and Claim to the consideration of your "House Not doubting you will make them such allowance as may Encourage others "cheerfully to adventure themselves when the Public safety shall require.

May the 27, 1730

William Gooch.

Order'd, That the Claim of the said *Henry Embry* and his Troop be Refer'd to the Committee of Public Claims and that they do examine the same and Report their Opinion thereupon to the House.

Order'd,

Order'd, That the small Windows in the end of the Chamber of the House of Burgeffes and those in the General Court be altered and made into Sash Windows uniform to the rest And that the Councils Concurrence be desired to this Order by the Committee of Propositions and Grievances.

A Petition of *John Grimes* Esq^r setting forth that two of his Negros run away and were taken up in *Maryland* and afterwards deliver'd to *Jacob Rice* and *Christopher Chaffin* employ'd by him to bring them home; that they murder'd those two persons and return'd to *Maryland* where they were again committed; that the Widows and Children of those unfortunate men are left in a very distressed Condition, and that the Petitioner has been at great Expence in bringing the said Negros to Justice, And praying the Consideration of the House thereupon was presented to the House and read.

Order'd, That the said Petition be Refer'd to the Consideration of the Committee of Publick Claims And that they do Examine the matter thereof and Report the same with their Opinion to the House.

Mr Flemming Reported from the Committee to whom it was Refer'd to Examine the Allegations of the Petition of *Henry Cary* that the Committee had Examined the allegations of the petition accordingly and agreed upon a Report which he read in his place and afterwards delivered it in at the Table

And the same being again read

Order'd, That leave be given to bring in a Bill to Enable *Henry Cary* to sell certain Entailed Lands in the County of *Warwick* and for settling Three hundred and Six Acres of Land with the Appurtenances in the County of *Henrico* and the Moiety of Three thousand Nine hundred Forty and two Acres of Land with the Appurtenances in the County of *Goochland*, of greater Value to the same uses, and that *Mr Blair* *Mr Flemming* *Mr Diggs* *Mr Randolph* *Mr John Bolling* *Mr Law Smith* *Mr Robert Armistead* *Mr Hallier* *Mr Egglestone* and *Mr Eaton* do prepare and bring in the said Bill

The House according to Order proceeded to take into consideration the Report made Yesterday from the Committee of Propositions and Grievances.

And the said Report being twice read

Order'd, That leave be given to bring in a Bill to prevent Swine running at large within the Limits of the Town of *Hampton*.

Resolv'd, That the Proposition from the County of *Effex* to prevent Hogs running at large be rejected.

Order'd, That leave be given to bring in a Bill for establishing Quarterly Courts And that the Committee for Courts of Justice do prepare and bring in the same.

Resolv'd, That the Proposition from the County of *Caroline* that Levies and Debts may be paid by Hemp or any other vendible Commodity be rejected

Resolv'd, That the Proposition from *Northampton* County for adding to it part of the County of *Accomack* be rejected.

Resolv'd, That the Proposition from the said County for furnishing the Inhabitants of the said county with Arms at the publick charge be rejected.

Resolv'd, That the proposition from the County of *Accomack* that Witneffes Summon'd before a single Justice of the peace and to attend Jurys on Land should have an allowance for their attendance and trouble be rejected.

A Bill to prevent Swine running at large within the Limits of the Town of *Hampton* was presented to the House and read the first time and Order'd to be read a Second time.

A Bill for Repealing the Act for the better and more effectual Improving the Staple of Tobacco and for the better Execution of the Laws now in force against tending Seconds and for the further prevention thereof was read the Second time and Order'd to be Engrossed.

Order'd, That *Mr William Harwood* have leave to be absent for three days

Order'd, That *Mr Buckner* be added to the Committee for Courts of Justice

. Then the House Adjourn'd 'till to Morrow Morning Eleven a Clock

Thursday, May the 28th, 1730.

MR. *Harrison* Reported from the Committee of propositions and Grievances that the Committee had had under their Consideration several propositions from several Counties and agreed upon a Report which he read in his place and afterwards delivered it in at the Table where the same was again read.

And the said Report being read a Second time

Resolv'd, That the Proposition from the County of *Stafford* to alter the days of holding Courts in that County and the County of *Caroline* be rejected

Resolv'd, That the proposition from *Henrico* County for a bridge to be built over *Chickahominy* Swamp at a place called *Pickanocky* Meadow between that County and the County of *Hanover* be rejected.

Resolv'd, That the proposition from the said County for Erecting a Chappel on the deep run of *Tuckahoe* Creek be rejected

Resolv'd, That the proposition from *Caroline* County for a Ferry to be appointed over *Rappahannock* River from *Roys* Rolling house to *Gibsons* Rolling house be rejected.

Resolv'd, That the Propositions from the Counties of *Stafford* *King George* and *Spotsylvania* for Repealing or Amending the Act for encouraging Adventurers in Iron works be rejected.

Resolv'd, That the Proposition from *Stafford* County in relation to the Act past in the last Session of this Assembly for encouraging Adventurers in Iron works is a scandalous and Seditious Libel Containing false and scandalous Reflections upon the Legislature and the Justice of the General Court and other Courts of this Colony.

Resolv'd, That *John Mercer* the Author and Writer of that paper and *Peter Hedgman* one of the Subscribers who presented the same to the Court of *Stafford* County to be certified to the General Assembly are guilty of a high Misdemeanour.

Order'd, That the said *John Mercer* and *Peter Hedgman* be sent for in Custody of the Serjeant at Armes attending this House to answer their said Offence at the Bar of this House.

Order'd, That Leave be given to bring in a Bill to prevent losses to Executors and Administrators by the sale of Negros. Goods and Chattels taken in Execution for amending the Law in Relation to Executors and Administrators for maintaining Actions of Account against Executors and Administrators; &c by one Jointenant and Tenant in common against another Joyntenant and Tenant in common their Executors and Administrators; For Impowering Fathers to dispose of the Custody and Tuition of their Children and for the better managing and Securing Orphans Estates And that the Committee for Courts of Justice do prepare and bring in the said Bill.

Mr *Harrison* according to Order presented to the House a Bill for encouraging the making of *Linen Cloth* and the same was read the first time and Order'd to be read a Second time.

An Ingrossed Bill for Repealing the Act for the better and more effectual Improving the Staple of Tobacco and for the better Execution of the Laws now in force against tending Seconds and for the further prevention thereof was read the third time

Resolv'd, That the Bill do pass.

An Ingrossed Bill for the Killing Squirrels and Crows in the Counties therein Mention'd was read the third time

Resolved That the Bill do pass

Order'd, That the Committee of propositions and Grievances do carry the said Bills to the Council and desire their Concurrence thereto.

A Bill to prevent Swine running at large within the Limits of the Town of Hampton was read the second time and ordered to be Ingross'd.

Order'd, That Mr *Robert Armistead* and Mr *Robinson* have leave to be absent 'till Monday next.

A Petition of *William Walker* (praying to be Reimburfed Eight hundred pounds of Tobacco which has been Levyed upon him in the publick Levy for taking up one *Thomas Bruff* who in the Year 1724 was convicted of Felony and burnt in the hand and after being detained some time for the prifon Fees was difcharged from prifon and was four times taken up as the Petitioners Servant but was never deliver'd to him); was presented to the Houfe and Read

Order'd, That the faid Petition be Refer'd to the Confideration of the Committee of publick Claimes and that they do Examine the matter thereof and Report the fame with their Opinion thereupon to the Houfe

Then the Houfe Adjorn'd till to morrow Morning Eleven a Clock.

Friday, May the 29th, 1730.

MR. *Harrifon* according to Order presented to the Houfe a Bill for enforcing the Act Intituled *an Act for the Effectual Suppreffion of Vice and Restraint and punishment and Blasphemous Wicked and Dissolute persons, and for preventing Inceftuous Marriages and Copulations*, and the fame was read the first time and order'd to be read a second time

Order'd, That leave be given to bring in a Bill to exempt the Inhabitants of any County wherein any Iron works, are or fhall be Erected from Clearing or Repairing the Roads leading to and from the fame; For making Satisfaction to the Owners of any Lands lying Contiguous to fuch Roads for the Timber which fhall be taken for making or Repairing Bridges in fuch Roads and for Exempting all perfons employ'd in Iron Works from Mufters, And that M^r *Kemp* M^r *Strother* M^r *Thornton* M^r *Conway* and M^r *Harrifon* do prepare and bring in the faid Bill.

A Petition of Sundry perfons whose names are thereunto Subscribed Inhabitants of *Charls City* County praying that a Ferry for the convenience of the Petitioners may be appointed over *James River* from M^{rs} *Andersons* landing to *Jordans* point was presented to the Houfe and read.

Ordered, That the faid Petition be Referred to the Confideration of the Committee of Propofitions and Grievances and that they do Examine the matter thereof and Report the fame with their Opinion thereupon to the Houfe.

A Petition of *John Douglas* praying that leave may be given to bring in a Bill to confirm the Sale of certain Entailed Lands in the County of *King William* called *Douglas* Ferry upon his Setling other Lands of greater Value in the County of *Brunfwick* to the fame Ufes was presented to the Houfe and read.

Order'd, That the faid Petition be Refer'd to the Confideration of a Committee and that they do Examine the matter thereof and Report the fame as it fhall appear to them to the Houfe

And it is refer'd to

M^r *Braxton*

M^r *Ravenscroft*

M^r *Whitehead*

M^r *Carr* and

M^r *Robert Bolling*

M^r *Buckner*

A Meffage from the Council by M^r *Robertfon*

That they have agreed to the Refolve of this Houfe for the paying the Sum of One Thoufand pounds to *John Randolph* Efquire out of the Publick Attorney's in the hands of the Treafurer.

Resolved, That the Wages of the Burgefles attending this Seffion and all the Charges of this Seffion of Affembly be paid and difcharg'd out of the Public Money in the hands of the Treafurer after the rate of Ten Shillings for every hundred pounds Weight of Tobacco.

Order'd, That the Committee of Propofitions and Grievances do carry the faid Refolve to the Council and defire their Concurrence thereto

Order'd,

* So in the copy. "Attorney" is, however, evidently an error for "Money."

Order'd, That Mr *Randolph* and Mr *Roscow* have leave to be absent 'till *Tuesday* next.

A Bill for *Encouraging the making of Linen Cloth* was read the Second time and committed to the Committee of Propositions and Grievances.

An Ingrofs'd Bill to *prevent Swine runing at large within the Limits of the Town of Hampton* was read the third time.

Resolv'd, That the Bill do pass.

Order'd, That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto.

Order'd, That the Committee of Propositions and Grievances do Inspect the Journals of the last Session of Assembly and prepare and draw up a Staple^r of the matters then depending and undetermin'd and the progress that was made therein and Report the same to the House.

Order'd, That the said Committee do Inspect what Laws are Expired or near Expiring and Report their Opinion to the House which of them are fit to be revived or continued.

Then the House Adjourn'd till to morrow Morning Eleven a Clock.

Saturday, May the 30, 1730.

MR. *Harrison* Reported from the Committee to whom the Bill for *encouraging the making of Linen Cloth* was committed several Amendments made to the Bill which he read in his place and afterwards delivered the Bill with the Amendments in at the Table.

And the Amendments being twice read were agreed unto by the House.

Order'd, That the Bill with the Amendments be Ingrofs'd.

Order'd, That Mr *Harrison* have leave to be absent from the Service of this House all next week And that Mr *Burgefs* have leave to be absent from the Service of the House four days.

Then the House Adjourn'd till *Monday* Morning Eleven a Clock

Monday, June the 1st, 1730.

A MESSAGE from the Council that they have agreed to the Bill Intituled *An Act for Repealing the Act for the better and more effectual Improving the Staple of Tobacco and for the better Execution of the Laws now in force against tending Seconds and for the further prevention thereof* without any Amendment

A Petition of *George Turberville* praying that leave may be given to bring in a Bill to Vest certain Entail'd Lands in the County of *Westmorland* in the Petitioner in Fee simple and for settling other Lands in the County of *Stafford* of greater Value to the same uses was presented to the House and read

Order'd, That the said Petition be Refer'd to the Consideration of a Committee and that they do examine the matter thereof and Report the same as it shall appear to them to the House.

And it is Refer'd to

Mr *Tayloe*

Mr *Fitzhugh*

Mr *Thornton*

Mr *Grimes*

Mr *Strother*

Mr *Nicholas Smith*

Mr *Kemp* according to Order presented to the House A Bill to *Exempt the Inhabitants of any County, Wherein any Iron Works are or shall be Erected from Clearing or Repairing the Roads leading to and from the same; For making Satisfaction to the Owners of any Lands lying Contiguous to such Roads, for the Timber which shall be taken for making*

¹ "Staple" should be "State."

or Repairing Bridges in such Roads and for Exempting all persons employed in Iron works from Musters, and the same was rec'd & read the first time.

Order'd, that the said Bill be read a Second time on *Thursday* next.

An Ingross'd Bill for encouraging the making of Linen Cloth was read the third time. Resolv'd, That the Bill do pass.

Order'd, That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto

Then the House Adjourn'd till to Morrow Morning Eleven a Clock.

Tuesday, June the 2, 1730.

A PETITION of *Benjamin Disborrow* Keeper of the Public Goal in *Williamsburgh* praying that his Allowance for maintaining his Prisoners may be made equal to What the Sherifs of the Several Counties are allow'd And that his Salary may be paid half yearly was presented to the House and read.

Order'd, That the said Petition be Refer'd to the consideration of the Committee for public Claims And that they do Examine the matter thereof and Report the same with their Opinion thereupon to the House.

Order'd, That *Mr Syme* have leave to be absent from the Service of the House till *Monday* next.

Mr Attorney General Reported from the Committee of propositions and Grievances that they had had under their Consideration the Petition of Sundry of the Inhabitants of *Charles City* County and others for a Ferry to be appointed from the Oyster Shell Landing at *Mrs. Andersons* to *Jordans* point, and were come To a Resolution thereupon which he read in his place and afterwards deliver'd the same in at the Table. Where it was again read and agreed unto by the House as follows.

Resolved, That the said Petition be Rejected.

A Petition of Sundry Inhabitants of the County of *Westmorland* whose names are thereunto Subscribed—Complaining of great Mischiefs from the Importation of great Numbers of Convicts and of great hardships and Oppressions they suffer with the rest of the Inhabitants of the Northern Neck under the rigorous Execution of certain powers in the Grant of that Territory And Praying the Consideration of the House therein And that some Measures may be taken for their Relief, was presented to the House and read

Ordered, That the said Petition be Refer'd to the Consideration of the Committee of propositions and Grievances and that they do Examine the matter thereof and Report the same as it shall appear to them to the House.

Mr Tayloe Reported that the Persons appointed had according to Order Examined the Allegations of the Petition of *George Turbeville* And had agreed upon a Report which he read in his place and afterwards delivered it in at the Table.

And the said Report being read.

Order'd, That leave be given to bring in a Bill for Vesting Four hundred and twenty Acres of Land with the Appurtenances in the County of *Westmorland* being Entailed in *George Turberville* Gentleman in Fee simple and for settling One Thousand Acres of Land with the Appurtenances in the County of *Stafford* of greater Value to the same Uses, And that *Mr Taylor* [sic] *Mr Fitzhugh* *Mr Thornton* *Mr Grimes* *Mr Strother* and *Mr Nicholas Smith* do prepare and bring in the said Bill.

A Bill for enforcing the Act Intituled an Act for the Effectual Suppression of Vice and Restraint and punishment of Blasphemous Wicked and Dissolute persons and for preventing Incestuous Marriages and Copulations was read the second time, and Committed to the Committee who prepared the same.

Then the House Adjourn'd till to morrow Morning Eleven a Clock

Wednesday, June the 3, 1730.

MR. Attorney General according to Order presented to the House a Bill for Amending the Staple of Tobacco. And the same was received and read the first time

Order'd, That the said Bill be read a Second time on Tuesday next

Mr Attorney General Reported from the Committee of propositions and Grievances that the Committee had had under their Consideration several Petitions from the Inhabitants of Goochland County for Towns to be laid out at Warwick on the South side of James River, and near the falls of the said River on the North side And had agreed upon a Report which he read in his place And afterwards delivered the same in at the Table where it was again read

The said Report being read a Second time

Resolved, That it is not necessary at this time to lay out a Town at Warwick in the County of Henrico. And that the petition of the Inhabitants of the County of Goochland for that purpose be rejected.

Order'd, That the proposition from the County of Goochland for laying out a Town on the North side of James River at or near the Falls between Shackoes and Gilly's Creek be Referred to the Consideration of the next Session of Assembly

Mr Attorney General also Reported that the persons appointed had according to Order Inspected the Journal of the last Session of Assembly, and drawn up a State of the matters then depending and undetermin'd and of the progress that was made therein which he was ready to Report to the House and he delivered the Report in at the Table where it was read.

Order'd, That the said Report do lie upon the Table.

Mr Attorney General also Reported that the persons appointed had according to order inspected the Temporary Laws & had agreed upon a Report which he deliver'd in at the Table where the same was read

Order'd, That the said Report do lie upon the Table.

Order'd, That Mr Robt. Bolling have leave to be absent from the Service of the House till Monday next.

Then the House Adjourn'd till to Morrow Morning Eleven a Clock.

Thursday, June the 4, 1730.

Order'd—

THAT Mr Crawford have leave to be absent from the Service of the House 'til Monday next.

Mr Attorney General according to Order presented to the House a Bill to disable any Sheriff or other person to sit as a Member of the House of Burgeesses who shall accept any office of profit by the appointment of the Governor of this Colony after his Election And Exempting the Members of the House of Burgeesses from being made Sheriffs And the same was read the first time and Order'd to be read a second time

A Petition of fundry Inhabitants of the County of James City between Powhatan Swamp and Skiffs Creek praying that leave may be given to bring in a Bill to make it Lawfull for the Petitioners within that compas of ground to kill any hog that shall be found in their own Inclosures was presented to the House and read

Resolved, That the said Petition be rejected

A Bill to exempt the Inhabitants of any County wherein any Iron Works are or shall be Erected from Clearing or Repairing the Roads leading to and from the same For making Satisfaction to the Owners of any Lands lying Contiguous to such Roads for the Timber which shall be taken for making or Repairing Bridges in such Roads and for exempting all persons employd in Iron Works from Musters was according to Order read a second time

And

And after a Debate the Question was put
That the Bill be Committed

Resolved in the Affirmative

And it was Committed to Mr *Taylor* Mr *Conway* Mr *Lee* Mr *Robinson* Mr *Henry Willis*
Mr *Attorney*, Mr *Blair* Mr *Esfridge* and Mr *Thornton*

Mr *Attorney General* Reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration part of a proposition from *Richmond* County and part of a Petition from *Westmorland* County in Relation to Convicts and had agreed upon a Report which he read in his place and afterwards deliver'd it in at the Table where it was again Read.

The said Report being read a second time

Order'd, That Leave be given to bring in a Bill for the better Government of Convicts Imported into this Colony and that the Committee of propositions and Grievances do prepare and bring in the said Bill.

Mr *Attorney General* Reported from the Committee to whom the Bill for Enforcing the Act Intituled *An Act for the effectual Suppression of Vice and Restraint and punishment on Blasphemous Wicked and Dissolute Persons, and for preventing Incestuous Marriages and Copulations* was Committed several Amendments made by the Committee to the Bill. And he read the Amendments in his place. And afterwards delivered the Bill with the Amendments in at the Table where the Amendments were again read

Order'd, That the said Amendments be taken into consideration to Morrow by the House

Then the House Adjorn'd till to Morrow Morning Eleven a Clock.

Friday, June the 5th, 1730.

THE House met, And Adjorn'd till to morrow morning Eleven a Clock.

Saturday, June the 6, 1730.

THE House met, And Adjorn'd till Monday morning Eleven a Clock.

Monday, June the 8, 1730.

A PETITION of *John Mercer* setting forth his sorrow for having Incurred the displeasure of this House and praying that he may be admitted to undergo the Censure of the House for his Offence, was presented to the House and Read

A Petition of *Peter Hedgman* acknowledging his Inadvertency in signing a Paper as a Grievance from the County of *Stafford* without any design of giving Offence to this House expressing his sorrow for the same and praying that he may undergo the Censure of the House was also presented to the House and read

Order'd, That the said *John Mercer* and *Peter Hedgman* be brought to the Barr of the House and Reprimanded by Mr *Speaker*.

They were brought to the Bar and Reprimanded accordingly

Order'd, That they be discharged out of Custody paying their Fees

Mr *Attorney General* according to Order presented to the House a Bill to prevent the malicious burning Tobacco Houses and other Houses and places for taking away Clergy from certain Offenders, and for punishing Accessories to Felonies and Receivers of Stolen Goods. And the same was read the first time and Ordered to be read a second time.

The

The Houfe proceeded to take into their Confideration the Amendments made to the Bill for Enforcing the Act Intituled *An Act for the effedual Suppreffion of Vice and ReftRAINT and punifhment of Blafphemous Wicked and Diffolute perfons and for preventing Inceftuous Marriages and Copulations.*

And the Amendments were feverally read

After a Debate the Queftion was put

That the Bill be Recommitted

Resolved in the Affirmative

Order'd, That the Bill be Recommitted to the Committee to whom it was Committed.

A Bill to *disable any Sherif or other person to fit as a Member of the Houfe of Burgefles who fhall accept any Office of profit by the appointment of the Governor of this Colony after his Elecion and exempting the Members of the Houfe of Burgefles from being made Sherifs* was read the fecond time

Order'd, That the Bill be Committed to the Committee who prepar'd the fame

Mr *Tayloe* Reported from the Committee to whom the Bill to *Exempt the Inhabitants of any County wherein any Iron Works are or fhall be Erected from clearing or Repairing the Roads leading to and from the fame, For making Satisfaction to the Owners of any Lands lying Contiguous to fuch Roads for making or repairing Bridges in fuch Roads And for exempting all perfons imploy'd in Iron Works from Mufters* was Committed feveral Amendments made to the Bill. And he read the Amendments in his place and afterwards deliver'd the Bill with the Amendments in at the Table, where the Amendments were again read.

Order'd, That the Bill with the Amendments do lie upon the Table.

Then the Houfe Adjorn'd 'till to morrow Morning Eleven a Clock.

Tuesday, June the 9, 1730.

A PETITION of Sundry Freeholders of the County of *Hanover* whole Names are thereunto Subfcribed Setting forth that if the Bill now depending in this Houfe in Relation to the Tobacco Trade fhould pafs into a Law The Inhabitants of that County will lie under great Inconveniencies if a Warehoufe fhould not be eftablifhed at *Crutchfields*, the upper Landing upon *Pamunky* River and praying the Confideration of the Houfe thereupon, was prefented to the Houfe and read

Order'd, That the faid Petition do lie upon the Table

A Petition of *William Todd* Complaining of great Damages he has Suftain'd by an Act of Affembly paffed at the laft Seflion of Affembly for Erecting a Town upon the Petitioners Land on the North fide of *Rappahanock* called *Falmouth* and praying Relief therein was prefented to the Houfe and read

Order'd, That the faid Petition be Refer'd to the Confideration of a Committee And that they do Examine the matter thereof and Report the fame as it fhall appear to them to the Houfe

And it is referred to

Mr *Lee*

Mr *Meriwether*

Mr *Robert Bolling*

Mr *Robinfon*

Mr *Braxton*

Mr *Tayloe* and Mr *Conway*.

Mr *Harrifon* Reported from the Committee of propofitions and Grievances that the Committee had had under their Confideration feveral propofitions and Grievances and had agreed upon a Report which he read in his place and afterwards deliver'd the fame in at the Table where it was again read.

The faid Report being read a Second time

Order'd, That leave be given to bring in a Bill for Erecting a new County on the heads of the Counties of *Stafford* and *King George* and that the Committee of Propofitions and Grievances do prepare and bring in the faid Bill.

Order'd,

Order'd, That it be an Instruction to the said Committee to make the Division from the mouth of *Chopawanfick* Creek on *Potowmack* River to the head of the North Branch of the said Creek. Thence by a South West Course to the head of *Deep* run and down that Run to *Rappahanock* River

Order'd, That it be also an Instruction to the said Committee to bring in a Clause to be added to the Bill for *paying a proportionable part of the Tobacco now due to the Counties of Stafford and King George for Wolves heads to the Inhabitants of the New County*

Order'd, That leave be given to bring in a Bill for making a new Parish upon the head of *Overwharton* parish in the County of *Stafford* And that the Committee of Propositions and Grievances do prepare and bring in the said Bill.

Order'd, That it be an Instruction to the s'd Com'tee to make the division from y^e mouth of *Chapawanfick* Creek on *Potowmack* River to the head of the North Branch of the s'd Creek & thence by a S. West Course to the parish of *Hanover*.

Order'd, That it also be an Instruction to the said Committee to bring in a Clause to be added to the Bill for *obliging the Inhabitants of the Parish of Overwharton to contribute towards the purchasing a Glebe for the said New Parish Ten thousand pounds Weight of Tobacco with Cash and Conveniency*

Order'd, That leave be given to bring in a Bill for dividing the Parish of *St. George* in the County of *Spotsylvania* and that the Committee of propositions and Grievances do prepare and bring in the said Bill.

Order'd, That it be an Instruction to the said Committee to make the Division from the mouth of the *Rapidanne* to the mouth of the *Wilderness* Run Thence up the said Run to the Bridge and thence South West to *Pamunky* River.

Order'd, That it be also an Instruction to the said Committee to bring in a Clause to be added to the Bill to *oblige the Inhabitants of the Parish of Saint George to pay a proportionable part of what has been Levied on them, for purchasing a Glebe and building a Glebe house.*

Resolv'd, That the Proposition from *Spotsylvania* County for Dividing that County be rejected

Resolv'd, That the proposition from the said County for Erecting a New County on the South side of *Potowmack* River and the Western side of the great Ridge of Mountains and for Encouraging People to Settle there be rejected.

Mr *Harrison* reported from the Committee to whom the Bill to *disable any Sheriff or other Person to sit as a Member of the House of Burgeffes who shall accept any Office of profit by the Appointment of the Governor of this Colony after his Election and Exempting the Members of the House of Burgeffes from being made Sheriffs*, That the Committee had made an Amendment to the Title of the Bill, and several Amendments to the body of the Bill. And he read the Amendments in his place and afterwards deliver'd the Bill with the Amendments in at the Table, where the Amendments were again twice read and agreed unto by the House

Order'd, That the Bill with the Amendments be Ingrossed.

A Message from the Governor was deliver'd by Mr *Robertson*

Mr *Speaker*,

The Governor Commands the immediate attendance of this House in the Council Chamber, and that you bring with you such Bills as are ready for his Assent.

Mr *Speaker* with the House went up to attend the Governor accordingly, and being return'd

Mr *Speaker* reported. That the Governor had been pleas'd to give his Assent to the Bill Intituled an *Act for Repealing the Act for the better and more effectual improving the Staple of Tobacco and for the better Execution of the Laws now in force against tending Seconds and for the further prevention thereof*

A Bill for amending the Staple of Tobacco was read the Second time And after a Debate the Question was put That the Bill be Committed.

Resolv'd in the Affirmative
Order'd, That the Bill be Committed to a Committee of the whole House.

Resolved, That the House will immediately Resolve itself into a Committee of the whole House to consider of the said Bill.

The House accordingly Resolved it Self into a Committee of the Whole House
 Mr *Speaker* left the Chair. And Mr *Attorney General* took the Chair of the Committee and after some time spent therein, Mr *Speaker* Refumed the Chair And

Mr *Attorney General* Reported from the Committee that they had made some Progress in the Bills for Amending the Staple of Tobacco, but not having time to go thro' the same they had directed him to move for leave to sit again

Resolv'd, That this House will again Resolve it self into a Committee of the whole House, upon the said Bill to morrow morning.

Then the House Adjorn'd till to morrow Morning Eleven a Clock.

Wednesday, June the 10, 1730.

Order'd—

THAT the Petition of the Freeholders of the County of *Hanover* for Establishing a Warehouse at *Crutchfield* upon *Pamunky* River be Refer'd to the Committee of the whole House to whom the Bill for Amending the Staple of Tobacco is Committed.

The Order of the Day being Read. The House Resolved it self into a Committee of the whole House Upon the Bill for Amending the Staple of Tobacco And after some time spent therein Mr *Speaker* Refumed the Chair And

Mr *Attorney* Reported from the Committee that they had made further progress in the Bill but had not gone thro' the same And that the Committee had directed him to move for leave to sit again

Resolv'd, That the House will again Resolve it self into a Committee of the whole House to morrow Morning upon the said Bill.

Then the House Adjorn'd till to morrow Morning Eleven a Clock

Thursday, June the 11, 1730.

APETITION of *Samuel Harwood* the Elder and *John Edloe* Church Wardens of the Parish of *Westover* in the County of *Charles City* in behalf of themselves and the Minister and Vestry of the said Parish was presented to the House and Read Setting forth that by the Union of several Parishes two parcels of Land Remote from one another and of little value to the Minister of the said Parish are Vested in him as a Glebe, that the Parishoners will shortly be oblig'd to build a New Church in a more convenient Scituation than the old Church stands in and thereby a small parcell of Land Contiguous to the Church yard belonging to the Parish will be of no use And that if the said several parcells of Land were sold the Money arising might be sufficient to purchase a good Glebe for the said Parish And Praying that leave may be given to bring in a Bill to Enable the Minister Church Wardens and Vestry of the said Parish to sell the said three parcels of Land And to lay out the purchase Money in other lands for a Glebe for the said Parish.

Order'd, That leave be given to bring in a Bill according to the Prayer of the said Petition. And that Mr *Samuel Harwood* and Mr *Stith* do prepare and bring in the same

Mr *Blair* according to Order presented to the House a Bill to Enable Henry Cary to sell certain Intailed Lands in the County of Warwick and for selling Three hundred and Six

Six Acres of Land with the Appurtenances in the County of Henrico. And the Moiety of Three thousand Nine hundred and Forty two Acres of Land with the Appurtenances in the County of Goochland of greater Value to the same Uses And the same was read the first time and Order'd to be read a Second time.

An Ingrossed Bill to *disable any Sherif or other person to sit as a Member of the House of Burgeffes who shall accept any Office of profit in this Colony after his Election and Exempting the Members of the House of Burgeffes from being made Sheriffs* was read the third time.

Resolv'd, That the Bill do pass.

Order'd, That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto.

Mr *Harrison* Reported from the Committee to whom the Bill for *Enforcing the Act Intituled an Act for the Effectual Suppression of Vice and Restraint and punishment of Blasphemous Wicked and Dissolute persons and for preventing Incestuous Marriages and Copulations* was Recommended

That the Committee had made several other Amendments to the Bill which he read in his place and afterwards deliver'd the Bill with the Amendments in at the Table.

The said Amendments being again Twice read were agreed unto by the House with an Amendment

Order'd, That the Bill with the Amendments agreed unto be Ingrossed.

Mr *Harrison* according to Order presented to the House a Bill for *Erecting a New County on the Heads of Stafford and King George Counties*

Also a Bill for *making a New Parish on the head of Overwharton Parish in Stafford County.*

Also a Bill for *Dividing the Parish of Saint George in Spotfilvania County*

And the said Bills were severally read the first time and Order'd to be read a Second time.

The Order of the day being read The House *Resolv'd* it self into a Committee of the whole House upon the Bill for *Amending the Staple of Tobacco* And after some time Spent therein Mr *Speaker* Refum'd the Chair And

Mr *Attorney* Reported from the Committee that they had made a further Progress in the Bill but had not gone thro' the same, And that the Committee had directed him to move for leave to sit again.

Resolv'd, That the House will again Resolve it self into a Committee of the whole House to morrow morning

Order'd, That Mr *Lawrence Smith* have leave to be absent from the Service of the House to morrow

Then the House Adjorn'd till to Morrow Morning Eleven a Clock.

Fryday, June the 12, 1730.

A BILL to prevent the Malicious burning Tobacco Houses and other Houses and places for taking away Clergy from certain Offenders, And for punishing Accessories to Felonies and Receivers of Stolen Goods was read the Second time

Order'd, That the Bill be Ingrossed

The Order of the Day being read The House Resolved it self into a Committee of the whole House upon the Bill for *amending the Staple of Tobacco* And after some time Spent therein

Mr *Speaker* Refum'd the Chair And

Mr *Attorney* Reported from the Committee that they had made a further progress in the Bill but had not yet gone thro the same And therefore they had directed him to move for leave to sit again.

Resolv'd,

Resolv'd, That the Houfe will again Refolve it felf into a Committee of the whole houfe upon the faid Bill to morrow morning

Then the Houfe Adjourn'd till to Morrow Morning Eleven a Clock.

Saturday, June the 13, 1730.

Order'd—

THAT Mr *Bacon* have leave to be abfent from the Service of the Houfe till *Wednesday* next.

A Meffage from the Council was deliver'd, by Mr *Robertfon* That they have made fome Amendments to the Bill Intituled *An Act for the Encouraging the making of Linen Cloath* to which they defire the Concurrence of this Houfe.

And that they have agreed to the Bill Intituled *an Act to prevent Swine runing at large within the Limits of the Town of Hampton* without any Amendment

Order'd, That Mr *Mead* have leave to be abfent from the Service of the Houfe till *Wednesday*

Mr *Fitzhugh* according to Order prefented to the Houfe a Bill to *Exempt certain German Protestants in the County of Stafford from the Payment of Parifh Levies* and the fame was read the firft time and order'd to be read a Second time.

An Ingrofs'd Bill for *Enforcing the Act Intituled an Act for the effectual Suppreffion of Vice and Reftraint and Punifhment of Blaffphemous Wicked and Diffolute perfons and for preventing Inceftuous Marriages and Copulations* was read the third time.

Refolv'd, That the Bill do pafs

An Ingroffed Bill to *prevent the Malicious burning Tobacco Houfes and other Houfes and places for taking away Clergy from certain Offenders and for punifhing Acceffories to Felonies and Receivers of Stolen Goods* was read the third time

Refolv'd, That the Bill do pafs.

Order'd, That the Committee of propofitions and Grievances do carry the faid Bill to the Council and defire their Concurrence thereto

The Order of the Day being read The Houfe Refolv'd it felf into a Committee of the whole Houfe upon the Bill for *Amending the Staple of Tobacco* And after fome time fpent therein Mr *Speaker* Refum'd the Chair And

Mr *Attorney* Reported from the Committee that they had made fome further Progreffs in the Bill but had not gone thro' the fame And therefore they had directed him to move for leave to fit again

Refolv'd, That this Houfe will again Refolve it felf into a Committee of the whole Houfe upon the faid Bill on *Monday Morning*

Ordered, That Mr *Hollier* have leave to be abfent from the Service of the Houfe till *Thursday* next

A Bill to *Enable Henry Carey to fell certain Intailed Lands in the County of Warwick and for felling Three hundred and Six Acres of Land with the Appurtenances in the County of Henrico And the Moiety of Three Thousand Nine hundred and forty two Acres of Land with the Apurtenances in the County of Goochland of greater Value to the fame Ufes* was read the Second time

Order'd, that the Bill be Ingroffed

A Bill for *Making a New parifh on the head of Over-Wharton parifh in Stafford County* was read the fecond time, and Several Blanks were filled up at the Table.

Order'd, that the Bill be Ingroffed

A Bill for *Erefting a New County on the heads of Stafford and King George Counties* was read the Second time and feveral Blanks in the Bill were fill'd up at the Table

Order'd, That the Bill be Ingroff'd

A Bill for dividing the Parish of Saint George in the County of Spotfilvania was read the Second time And Order'd to be Ingroff'd

Order'd, That Mr *Simmonds* have leave to be absent from the Service of the House till Thursday next.

Then the House Adjorn'd till Monday Morning Eleven a Clock.—

Monday, June the 15, 1730.

Order'd—

THAT the Treasurers accounts be Referred to the Consideration of a Committee And that they do Examine the said Accounts And Report the Ballance it shall appear to them to the House.

And it is Refer'd to

Mr *Robert Bolling*

Mr *Randolph*

Mr *Burges.*

Several Claimes of Mrs. *Mary Stihl* for taking up several Runaways were presented to the House And the same were Receiv'd

Order'd, That the said Claimes be Refer'd to the Consideration of the Committee of Publick Claimes. And that they do Examine the matter thereof And Report the same with their Opinion thereupon to the House.

An Ingrofs'd Bill to Enable Henry Cary to sell certain Intail'd Lands in the County of Warwick and for Selling Three hundred and Six Acres of Land with the Appurtenances in the County of Henrico. And the Moiety of Three Thousand Nine hundred and forty two Acres of Land with the Appurtenances in the County of Goochland of greater Value to the same uses was read the third time.

Resolv'd, That the Bill do pass

An Ingrofs'd Bill for Erecting a New County on the heads of Stafford and King George Counties was read the third time.

Resolv'd, That the Bill do pass.

An Ingrofs'd Bill for making a New Parish on the head of Overwharton Parish in Stafford County was read the third time

Resolv'd, That the Bill do pass

An Ingrofs'd Bill for Dividing the Parish of Saint George in the County of Spotfilvania was read the third time and two Blanks in the Bill were filled up at the Table

Resolv'd, That the Bill do pass

Order'd, That the Committee of Propositions and Grievances do carry the said Bills to the Council and desire their Concurrence thereto

A Bill to exempt certain German Protestants in the County of Stafford from the Payment of Parish Levies was Read the Second time And a Blank in the Bill was filled up at the Table

Order'd, That the Bill be Ingrofs'd.

Mr *Tayloe* according to Order presented to the House a Bill for Vesting Four hundred & Twenty Acres of Land with the Appurtenances in the County of Westmorland being Entail'd in George Turberville Gentleman in Fee simple. And for confirming a Settlement of One Thousand Acres of Land with the Appurtenances in the County of Stafford of greater Value to the same Uses and the same was Receiv'd, And read the first time

Order'd, That the Bill be read a Second time

A Petition of William Bird Esquire was presented to the House and read Setting forth that he had for some Years Employed a considerable number of his Slaves upon the best of his Lands in making hemp

And that he hath had a great deal of difficulty in getting the same Weigh'd by the Sherif according to the Directions of the Act for giving a Bounty upon Tarr and Hemp
And

And praying that leave may be given to bring in a Bill to allow all Hemp made in this Colony to be Weigh'd by any Justice of the peace of the County in order to receive the Bounty.

Order'd, That Leave be given to bring in a Bill according to the Prayer of the said Petition, And that Mr *Randolph* and Mr *Kemp* do prepare and bring in the same

A Motion being made, and the Question put

That it be an Instruction to the Committee of the whole House to whom the Bill for *Amending the Staple of Tobacco* is Committed to Receive a Clause That all publick Tobacco shall pass the Inspection before It be paid to the Collectors thereof And for making an Allowance to the persons chargeable with the Payment of such Tobacco for paying the same at the publick Warehouses

Yeas 23	} Mr <i>Speaker</i> Yea
Noes 23	

And so it was Resolv'd in the Affirmative

Order'd, That it be an Instruction to the Committee of the whole House to receive the said Clause

And after a Debate the Question was put,

That it be an Instruction to the said Committee to Receive a Clause to Oblige the Owners of Tobacco to put it on board the Ships for a Reward to be allowed by the Masters of Ships.

Yeas 30
Noes 20

And so it was Resolv'd in the Affirmative

Order'd, That it be an Instruction to the Committee of the whole House to Receive the said Clause.

Then a Debate arose and the Question was put

That it be an Instruction to the said Committee to Receive a Clause for making all Tobacco liable to an Inspection before before it shall be Transferred

Yeas 9
Noes 39

And so it passed in the Negative

The House according to Order Resolv'd it self into a Committee of the whole House upon the Bill for *Amending the Staple of Tobacco*, And after some time spent therein Mr *Speaker* Refused the Chair And

Mr *Attorney* Reported from the Committee that they had made a further Progress in the Bill and Directed him to move for leave to sit again

Resolv'd, That the House will again Resolve it self into a Committee of the whole House upon the said Bill to morrow morning

Then the House Adjourn'd till to Morrow Morning Eleven a Clock.

Tuesday, June the 16, 1730.

MR. *Braxton* Reported from the Committee to whom the Petition of *John Douglass* was Refer'd That the Com'tee had Examined the Matter of the said Petition and agreed upon a Report which he read in his place and afterwards delivered the same in at the Table.

The said Report being again read

Order'd, That Leave be given to bring in a Bill to confirm the Sale of certain Intailed Lands in the County of *King William* made by *John Douglass* to *John Frayser* in Fee simple and for settling other Lands in the County of *Brunswick* and two Negro Slaves of greater Value to the same Uses. And that the Committee to whom the said Petition was Referred do prepare and bring in the said Bill

A Claim of *Thomas Oliver* for taking up two Run away Negros belonging to the Estate of *Mr William Gordon* late of the County of *Middlesex* Deceased was presented to the House & the same was Received.

Order'd, That the said Claim be Refer'd to the Committee of Publick Claims And that they do Examine the matter thereof and Report the same with their Opinion thereupon to the House.

Mr Robert Bolling Reported from the Committee to whom the Treasurers Accounts were Refer'd that they had Examined the several Articles of the said Accounts and found the same to agree with the Vouchers and that the Ballance due to the Publick in his hands Amounts to Seven Thousand Seven hundred Forty and Six pounds Six pence halfpeny.

And the said Accounts were pass'd by the House

Order'd, That the Committee who Examined the said Accounts do carry the same to the Council in Order to be pass'd by them

An Ingros'd Bill to *Exempt certain German Protestants in the County of Stafford from the Payment of Parish Levies* was read the third time.

Resolv'd, That the Bill do pass.

Order'd, That *Mr Kemp* *Mr Fitzhugh* and *Mr Thornton* do carry the Bill to the Council and desire their Concurrence thereto.

The Order of the Day being Read the House Resolv'd it self into a Committee of the whole House upon the Bill for *Amending the Staple of Tobacco* and after some time spent therein *Mr Speaker* Resum'd the Chair. And

Mr Attorney Reported from the Committee that they had gone thro' the Bill and agreed upon several Amendments thereunto which they had Directed him to Report to the House when they would please to Receive the same.

Order'd, That the said Report be Received to morrow morning

Then the House Adjorn'd till to Morrow Morning Eleven a Clock.

Wednesday, June the 17, 1730.

M*R. Braxton* according to Order presented to the House a Bill to confirm the Sale of certain Entailed Lands in the County of King William made by *John Douglass* to *John Frayser* in Fee simple and for Selling other Lands in the County of Brunswick and two Negros Slaves of greater Value to the same Uses and the same was Received and Read the first time and Ordered to be read a Second time.

The House proceeded to take into their Consideration the Amendments made by the Council to the Bill for *Encouraging the making of Linen Cloth*.

And the said Amendments were twice Read and agreed unto by the House.

Order'd, That the Committee for Propositions and Grievances do acquaint the Council that this House hath agreed to the said Amendments.

The House proceeded to take into their consideration the Amendments made to the Bill to exempt the Inhabitants of any County wherein any Iron works are or shall be Erected from clearing or Repairing the Roads leading to and from the same for making Satisfaction to the Owners of any Lands lying Contiguous to such Roads for the Timber which shall be taken for making or Repairing Bridges in such Roads and for Exempting all persons Employed in Iron Works from Musters

And the said Amendments being read and a Debate arising thereupon

Order'd, That the said Debate be Adjorn'd *Mr Attorney* according to Order Reported from the Committee of the whole House to whom the Bill for *Amending the Staple of Tobacco* was committed. That the Committee had made several Amendments to the Bill And he read the Amendments in his Place. And afterwards deliver'd the Bill with the Amendments in at the Table. Where the Amendments were again read.

A Motion was made for calling over the House

And

And the Houfe was called over accordingly and only One Member being abfent without leave And the Houfe being Inform'd that he is fick he was excufed

Then the Houfe proceeded to the Confideration of the faid Report of the Committee of the whole Houfe upon the Bill *for Amending the Staple of Tobacco*

And a Motion was made for Receiving a Clause to be Inferted in the beginning of the Bill that the fame fhould not be in force till the end of three Months after his Majefties Approbation thereof fhall be published

And the Queftion being put

That the faid Clause be Receiv'd

It paffed in the Negative

And feveral of the Amendments were read a Second time and with fome Amendments were agreed unto by the Houfe

Order'd, That the further Confideration of the faid Report be Adjorn'd till to morrow

Then the Houfe Adjorn'd till to Morrow Morning Eleven a Clock.

Thursday, June the 18, 1730.

Order'd—

THAT Mr *Fitzhugh* and Mr *Thornton* have leave to be abfent from the Service of the Houfe for eight Days

Order'd, That Mr *Henry Armistead* have leave to be abfent from the Service of the Houfe all next Week -

Order'd, That Mr *Boufh* have leave to be abfent from the Service of the Houfe for a Week

And that Mr *Robert Bolling* have leave to be abfent till next *Thursday*.

A Meffage from the Council by Mr *Robertfon*

That they have made fome Amendments to the Bill Intituled *an Aâ for Enforcing the Aâ Intituled an Aâ for the Effectual Suppreffion of Vice and Reftraint and punifhment of Blafphemous Wicked and Diffolute perfons and for preventing Inceftuous Marriages and Copulations*

Alfo an Amendment to the Bill Intituled *An Aâ to prevent the Malicious burning Tobacco Houfes and other Houfes and places for taking away Clergy from certain Offenders and for punifhing Acceffories to Felonies and Receivers of Stolen Goods*, To which they defire the Concurrence of this Houfe.

The Houfe according to Order Refum'd the further Confideration of the Report of the Committee of the whole Houfe upon the Bill *for Amending the Staple of Tobacco*

And the Refidue of the Amendments made by the Committee to the Bill were read and Were with feveral Amendments agreed unto by the Houfe And other Amendments were made by the Houfe to the Bill

Then a Motion was made for Receiving a Clause to be added to the Bill for difabling the Members of this Houfe to accept of any Office appointed by the Bill.

And the Queftion being put

That the Clause be Receiv'd

Yeas 25

Noes 30

And fo it paffed in the Negative

Ordered, That the Bill with the Amendments be Ingroffed

Then the Houfe Adjorn'd 'till to Morrow Morning Eleven a Clock.

Fryday,

Fryday, June the 19, 1730.

Order'd—

THAT Mr *Nicholas Smith* and Mr *Tayloe* have leave to be absent from the Service of the House the next Week.

Order'd, That Mr *Braxton* have leave to be absent from the Service of the House 'till next *Wednesday*.

A Message from the Council by Mr *Robertson*

That the Council have made some Amendments to the Bill Intituled *an Act to disable any Sheriff or other person to sit as a Member of the House of Burgeffes who shall accept any Office of profit in this Colony after his Election and Exempting the Members of the House of Burgeffes from being made Sheriffs*

Also to the Bill Intituled *an Act for making a New Parish on the Head of Overwharton Parish in Stafford County*

Also to the Bill Intituled *An Act for Dividing the Parish of Saint George in the County of Spotsylvania* To which they desire the Concurrence of this House

And that they have agreed to the Bill Intituled *An Act for Erecting a New County on the heads of Stafford and King George Counties*

Also to the Bill Intituled *An Act to Enable Henry Cary to sell certain Intailed Lands in the County of Warwick*

And for selling Three hundred and Six Acres of Land with the Appurtenances in the County of Henrico and the Moiety of Three Thousand Nine hundred and Forty Two Acres of Land with the Appurtenances in the County of Goochland of greater Value to the same uses without any Amendment.

And that they have agreed to the Resolve of this House for paying the Burgeffes Wages and other Charges of this Assembly out of the public Money in the hands of the Treasurer.

And that they have passed the Treasurers Accounts

A Petition of *William Ligon* was presented to the House and Read, Praying that leave may be given to bring in a Bill to Confirm the Title of *Richard Randolph* Gent. in certain Intail'd Lands by him sold and Conveyed to the said *Richard Randolph* in Fee Simple and for settling other Lands of greater Value to the same uses

Order'd, That the said Petition be refer'd to the Consideration of a Committee and that they do examine the matter thereof and Report the same as it shall appear to them to the House

And it is referred to

Mr *Conway*

Mr *Meriwether*

Mr *Blair*

Mr *Syme* and

Mr *Burges*

A Petition of *William Bridger* was presented to the House and Read praying that leave may be given to bring in a Bill to Enable him to sell Five hundred Acres of Entailed Lands in the County of *Nansemond* and for laying out the Purchase money in Slaves to be Annexed to other Entailed Lands for the benefit of his Family

Order'd, That the said Petition be refer'd to the Consideration of a Committee and that they do examine the matter thereof and Report the same as it shall appear to them to the House

And it is Referr'd to

Mr *Kemp*

Mr *Godwin*

Mr *Harrison*

Mr *Lear* and

Mr *Ravenscroft*

Mr *Harrison* Reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration several Propositions from the Counties of *Lancaster Northumberland Richmond* and *Spotsylvania*

And

And also a Petition from the County of *Westmorland* to be Relieved from divers hardships occasioned by the Grant to the Proprietors of the Northern neck. And agreed upon a Report which he read in his place and afterwards delivered in at the Table where the same was again read

Ordered, That the said Report be taken into Consideration to Morrow

Mr Kemp with the leave of the House presented to the House a Bill *for Restraining the taking of Excessive Usury* And the same was Received and Read the first time And ordered to be read a Second time

A Petition of *John Sutton Farrar* was presented to the House and read Setting forth that he did Enfeoff *Thomas Randolph* Gentlemen Deceased and his Heirs of four hundred thirty two Acres of Entail'd Land in the County of *Henrico* in Consideration of Three hundred and twenty Acres of Land in the County of *Goochland* purchased by the said *Thomas Randolph* and Conveyed to the Petitioner in Fee simple, And ten Negro Slaves; and that the Petitioner did agree with the said *Thomas Randolph* in his life time to apply to the General Assembly for a Bill to Confirm his Title to the said Four hundred thirty two Acres of Land and for settling the other Lands and Negroes aforesaid which are of Greater Value to the same Uses, And praying that leave may be given to bring in a Bill pursuant to the said Agreement.

Order'd, That the said Petition be Refer'd to the Consideration of a Committee And that they do Examine the matter thereof and Report the same as it shall appear to them to the House

And it is Refer'd to

Mr Lee

Mr John Bolling

Mr Harrison

Mr Ravenscroft and

Mr Samuel Harwood

Mr Lawrence Smith Reported from the Committee of Publick Claims that the Committee had had under their Consideration All the Public Claims and other matters to them referred And had agreed upon a Report and he delivered the Report with the several Vouchers in at the Table

A Claim of *Edward Doyl* and *Thomas Hansford* for taking up a Run away Negro belonging to *Nathaniel Buck* was presented to the House, And the same was Received and order'd to be consider'd when the Report of the Com'tee of public Claims shall be consider'd by the House.

Order'd, That *Mr Strother* have leave to be absent from the Service of the House 'till Monday Seven night—

An Ingrossed Bill *for Amending the Staple of Tobacco* was Read the third time

And after a Debate the Question was put

That the Bill do pass

Yeas 46

Noes 5

And so it was Resolv'd in the Affirmative.

Order'd, That the Committee who prepared the said Bill do carry the same to the Council and desire their Concurrence thereto

Order'd, That *Mr Burges* have leave to be absent from the Service of the House for three Days

Order'd, That *Mr Stith* have leave to be absent from the Service of the House till Tuesday next

The House proceeded to take into their Consideration the Amendment made by the Council to the Bill Intituled *An Act to disable any Sheriff or other person to sit as A Member of the House of Burgeffes who shall accept any Office of Profit in this Colony after his Election and exempting the Members of the House of Burgeffes from being made Sheriffs.*

And the Amendment was read and agreed unto by the House.

Order'd, That the Committee of Propositions and Grievances do acquaint the Council that this House hath agreed to the Amendment by them made to the said Bill

The

The Houfe proceeded to take into their Confideration the Report of the Committee of propofitions and Grievances of feveral matters Referred at the laft Seffion of Affembly to the Confideration of this prefent Seffion of Affembly.

And the faid Report was Read

Order'd, That Colonel *Spotswood* do lay before this Houfe upon *Tuesday* Sevenight an Account of the money placed in his hands by Act of Affembly paffed in the Year 1720 for Erecting the Counties of *Spotfilvania* and *Brunfwick* and granting certain Exemptions and benefits to the Inhabitants thereof.

Order'd, That the Clerk of this Houfe do forthwith fend notice of the faid Order to Colonel *Spotswood* at *Germanna*

The Houfe alfo proceeded to take into their Confideration the Report of the faid Committee in relation to feveral Temporary Laws

And the faid Report was read

Order'd, That leave be given to bring in a Bill to Revive the Act for Supply of certain defects found in an Act prefcribing the method for appointing Sheriffs made in the year MDCCXX

And that the Committee of Propofitions and Grievances do prepare and bring in the faid Bill

And after a Debate the Queftion was put

That the Act made in the Year MDCCXXVI for laying a Duty on Liquors which will Expire the tenth day of June in the Year MDCCXXI for part of the Duty be further Continued

Yeas 20	} Mr Speaker Yea
Noes 20	

And fo it was Refolv'd in the Affirmative

Order'd, That the Committee of Propofitions and Grievances do prepare and bring in a Bill for continuing the Said Act for part of the faid Duty, with fome Alterations and Amendments

Then the Houfe Adjourn'd till to morrow Morning Eleven a Clock

Saturday, June the 20, 1730.

THE Houfe according to Order proceeded to take into their Confideration the Report of the Committee of propofitions and Grievances in Relation to the Northern neck Grant. And the faid Report was read.

A Cafe ftated upon the faid Grant by the Committee was alfo read

Order'd, That leave be given to bring in a Petition to be prefented to his Majefty in Council to relieve his Subjects Inhabiting the Northern Neck from the hardfhips they undergo from the faid Grant And that the Committee of propofitions and Grievances do prepare and bring in the fame.

Mr *Conway* Reported from the Committee to whom the Petition of *William Ligon* was Refer'd that the Committee had enquired into the Allegations of the faid Petition and were of Opinion that the Lands propofed to be fetled in lieu of the Entailed Lands with two Negros *Juidith* and *Pompey* will be a fufficient Recompence to the Ifsue in tail

Order'd, That Leave be given to bring in a Bill to confirm the Title of *Richard Randolph* Gentleman in certain Entail'd Lands purchafed by him of *William Ligon* And for fettling other Lands whereof the faid *William Ligon* is feiz'd in Fee and two Negro Slaves of greater Value to the fame Ufes. And that the Committee to whom the faid Petition was Refer'd do prepare and bring in the faid Bill

A Member informing the Houfe of a Report fpread abroad of a Paper Enter'd by *Richard Fitz William Elqr* in the Council Journal on *Thursday* laft containing feveral unjuft and injurious Reflections and Calumnies upon this Houfe and their proceedings highly

highly Derogatory To the honour of the house and in open Breach and Violation of their undoubted Rights and Privileges

Order'd, That a Message be sent to the Council to desire them to send to this House a Copy of the said paper as it is Enter'd in their Journal and that Mr Kemp Mr Attorney Mr Meriwether Mr Randolph Mr Lawrence Smith and Mr Harrison do go up with the Message.

The House proceeded to take into their Consideration the Amendments made by the Council to the Bill Intituled *An Act for Enforcing the Act Intituled An Act for the Effectual Suppression of Vice and Restraint and punishment of Blasphemous wicked and Dissolute persons and for preventing Incestuous Marriages and Copulations.*

And the said Amendment was read and agreed unto by the House.

The House also took into their Consideration the Amendment made by the Council to the Bill Intituled *An Act to prevent the Malicious burning Tobacco Houses and other Houses and places for taking away Clergy from certain Offenders and for punishing Accessories to Felonies and Receivers of Stolen Goods*

And the said Amendments were read and agreed unto by the House

The House also took into their Consideration the Amendments made by the Council to the Bill Intituled *an Act for making a New Parish on the head of Overwharton Parish in Stafford County.*

And the said Amendments were read and agreed unto by the House

The House also took into their Consideration the Amendments made by the Council to the Bill Intituled *An Act for Dividing the parish of Saint George in the County of Spotilvania*

And the said Amendments were read and agreed unto by the House

Order'd, That the Committee of Propositions and Grievances do acquaint the Council that this House hath agreed to the Amendments by them severally made to the said Bills

A Bill for *Restraining the taking of Excessive Usury* was read the second time

Order'd, That the Bill be Ingrossed

A Bill for *Vesting Four hundred and Twenty Acres of Land with the Appurtenances in the County of Westmorland (being Entailed) in George Turbeville Gentleman in Fee simple and for Confirming a Settlement of One thousand Acres of Land with the Appurtenances in the County of Stafford of greater Value to the same Uses* was read the Second time.

Order'd, That the Bill be Ingross'd

A Bill to *confirm the Sale of certain Lands in the County of King William made by John Douglass to John Frazer in Fee simple and for selling other Lands in the County of Brunswick and two Negro Slaves of greater Value to the same uses* was read the Second time

Order'd, That the Bill be Ingross'd

Then the House Adjourn'd till Monday Morning Eleven a Clock.

Monday, June the 22, 1730.

A N Ingross'd Bill for *Restraining the taking of Excessive Usury* was Read the third time.

Resolv'd, That the Bill do pass.

Order'd, That Mr Kemp Mr Meriwether Mr Whitehead and Mr Dangerfield do carry the said Bill to the Council and desire their Concurrence thereto

An Ingross'd Bill to *Confirm the Sale of certain Entailed Lands in the County of King William made by John Douglas to John Frazer in Fee simple and for selling other Lands in the County of Brunswick and Two Negro Slaves of greater Value to the same uses* was read the Third time.

Resolv'd, That the Bill do pass.

Order'd,

Order'd, That Mr Kemp, Mr Meriwether Mr Whitehead and Mr Dangerfield do carry the said Bill to the Council and desire their Concurrence thereto

Mr Samuel Harwood according to Order presented to the House a Bill for vesting certain Lands belonging to The Church of Westover Parish in Trustees to be sold and for laying out the Purchase Money in other Lands for a Glebe for the said Church and for Improving the same, And the Bill was receiv'd and Read the first time and order'd to be read a Second time

A Motion was made that the House would come to a Resolution and after a Debate the Question was put

That the Members of this House ought not to receive any Wages for this Session for the time they have been or shall be absent from the Service of the House on their own private Occasions

Resolv'd in the Affirmative

Order'd, That every Member of this House at the end of this Session do render an Account of the Number of Days he shall have been absent from the Service of the House on his own private Occasions unto John Holloway Esq^r Treasurer of Virginia And that no Wages be allowed for those Days

Resolv'd, That the Members who serve as Burgeffes for the City of Williamsburgh James Town and the College of William and Mary are Intituled to the same Wages that other Members of the House who serve for Counties are Intituled to

Order'd, That Mr Conway Mr Kemp Mr Meriwether and Mr Escribde do carry the said Resolve to the Council for their Concurrence

Then upon A Motion the Question was put

That leave be given to bring in a Bill to oblige the Burgeffes of this Colony to serve without Wages

It passed in the Negative.

Then the Question was put

That leave be given to bring in a Bill to Reduce the Wages of the Burgeffes to Six Shillings and Six pence *¶* *Diem*

It passed in the Negative

Then the House Adjourn'd till to Morrow Morning Eleven a Clock.

Tuesday, June the 23, 1730.

A MESSAGE from the Council by Mr Robertson

That according to the desire of this House they have sent a Copy of their Journal of Thursday last. So far as Relates to the paper Enter'd thereon by Richard Fitz William Esquire.

And that they have agreed to the Bill Entituled *an Act to Exempt certain German Protestants in the County of Stafford from the Payment of Parish Levies* without any Amendment.

Order'd, That the Copy of the said Journal do lie upon the Table.

Mr Attorney General according to Order presented to the House a Bill for *Re-enacting certain parts of an Act Intituled an Act declaring how long Judgements Bonds Obligations and Accounts shall be in force for the Assignment of Bonds and Obligations directing what proof shall be sufficient in such Cases and ascertaining the Damage upon protested Bills of Exchange* And the same was Received and read the first time

Order'd, That the Bill be read a Second time.

A Letter from Mr Burges a Member of this House Directed to Mr Speaker was Read to the House acquainting the House that by Reason of his Indisposition and other Accidents he shall not be able to attend the Service of this House till Monday next

Order'd, That Mr Burges's absence from the Service of the House 'till Monday next be Excused.

A Petition of *Frances Greenhill* a Feme Covert was presented to the House and read Setting forth that her Husband *Joseph Greenhill* left her about twelve years agoe without any Subsistance that she hath been supported by the Charity of Her Friends, And that she hath the Fee simple Estate of Nine hundred Acres of Land with the Appurtenances in the County of *Prince George* called *Duchy Hill*; And that if the same were sold the Money arising from such Sale would afford her a Competent maintenance --- And praying the Consideration of the House upon the premises And that the said Lands may be vested in Trustees to be sold And the purchase Money placed in their hands for the Petitioners support without the Intermeddling Of Her Husband or His Creditors

And after a Debate the Question was put

That the said Petition be Refer'd to the Consideration of a Committee.

Resolved in the Affirmative

Order'd, That the Petition be refer'd to the Consideration of a Committee And that they do Examine the matter thereof and Report the same as it shall appear to them to the House.

And it is refer'd to

Mr Lee

Mr Harrison

Mr Ravenscroft

Mr Samuel Harwood and

Mr Francis Willis

Order'd, That the said Committee do give *Paschall Greenhill* notice of the said Petition before they proceed thereupon

Mr Conway according to Order presented to the House a Bill to confirm the Title of *Richard Randolph Gent in and to certain Intail'd Lands purchased by him of William Ligon and for selling other Lands and Two Negro Slaves of greater Value in lieu thereof* to the same Uses And the same was Receiv'd and read the first time.

Order'd, That the Bill be read a Second time

A Member laid before the House Colonel *Spotswoods* Accounts pursuant to the Order of *Fryday* last

And the Title of the Accounts was read

Order'd, That the said Accounts be Referred to the consideration of a Committee And that they do Examine the matter thereof and Report the same with their Opinion thereupon to the House

And it is Refer'd to

Mr Harrison

Mr Lee

Mr Blair

Mr Henry Willis and

Mr Augustin Smith

A Motion being made

That the House would come to a Resolution for explaining the Resolve of Yesterday touching the Payment of absent Members.

A Debate arose thereupon

And the previous Question was put

That that Question be put

It passed in the Negative

A Motion being made

That leave be given to bring in a Bill to Enable the Sale of Goods Distrained for Rent and to secure such Goods to the person Distraining the same for the better Security of Rents and to prevent Frauds committed by Tenants

Order'd, That leave be given to bring in a Bill accordingly And that the Committee for Courts of Justice do prepare and bring in the same.

A Bill for *Vesting certain Lands belonging to the Church of Westover Parish in Trustees to be sold and for laying out the Purchase Money in other Lands for a Glebe for the said Church and for improving the Same* was read the Second time And several Blanks in the Bill were filled up and an Amendment was made to the Bill at the Table

Order'd, That the Bill with the Amendment be Ingrossed

Mr

Mr Harrison according to Order presented to the House a Bill for the better Government of Convicts Imported into this Colony and for bringing them to a due and Speedy punishment for their Crimes, And the same was Receiv'd and Read the first time.

Order'd, That the Bill be read a Second time.

The House proceeded to take into their consideration the Report of the Committee of Public Claims.

And part of the Report was read and agreed unto by the House with some Amendments.

Order'd, That the further Consideration of the said Report be Adjourn'd.

Then the House Adjourn'd 'till to Morrow Morning Eleven a Clock.

Wednesday, June the 24, 1730.

AN Ingrofs'd Bill for Vesting Four hundred and twenty Acres of Land with the Appurtenances in the County of Westmorland being Intailed in *George Turberville Gentleman in Fee simple and for Confirming a Settlement of One Thousand Acres of Land with the Appurtenances in the County of Stafford of greater Value to the same Uses*, was Read the third time

Resolved, That the Bill do pass.

Order'd, That the Committee who prepared the said Bill do carry the same to the Council and desire their Concurrence thereto

An Ingrofs'd Bill for Vesting certain Lands belonging to the Church of Westover Parish in Trustees to be sold and for laying out the purchase Money in other Lands for a Glebe for the said Church and for Improving the same was read the third time

Resolved, That the Bill do pass.

Order'd, That the Committee who prepared the said Bill do carry the same to the Council and desire their Concurrence thereto

A Bill to Confirm the Title of *Richard Randolph Gentleman in and to certain Entail'd Lands purchased by him of William Ligon and for selling other Lands and two Negro Slaves of greater Value in lieu thereof to the same uses* was read the Second time And an Amendment was made in the Bill at the Table

Order'd, That the Bill with the Amendment be Ingroffed

A Bill for the better Government of Convicts Imported into this Colony and for bringing them to a due and Speedy punishment for their Crimes was read the Second time

Order'd, That the Bill be Ingrofs'd

The House Resumed the Adjourn'd Consideration of the Report of the Committee of public Claims and another part of the said Report was read and agreed unto with some Amendments by the House

Order'd, That the further Consideration of the said Report be Adjourn'd.

A Message from the Council by *Mr Robinson*

That they have agreed to the Bill Intituled *an Act for Restraining the taking of Excessive Usury*

And also to the Bill Intituled *an Act to confirm the Sale of certain Intailed Lands in the County of King William made by John Douglass to John Frazer in Fee simple and for selling other Lands in the County of Brunswick and two Negro Slaves of greater Value to the same Uses without any Amendment.*

And that they have also agreed to the Resolve of this House for paying the Burgeffes who serve for the City of *Williamsburg James Town* and the College of *William and Mary*

A Motion being made to proceed to the Consideration of the Paper Enter'd upon the Councils Journal by *Richard Fitz Williams Esq'*:

The Copy of the Councils Journal sent to this House Yesterday so far as relates to the said Paper was read

Order'd,

Order'd, That the said Paper be Refer'd to the Consideration of a Committee and that they do Examine the matter thereof and Report what they think may be proper to be done thereupon to the House

And it is Referred to

M^r Kemp

M^r Attorney General

M^r Meriwether

M^r Harrison

M^r Randolph

M^r Escribidge and

M^r Laurence Smith

Then the House Adjourn'd till to Morrow Morning Eleven a Clock.

Thursday, June the 25, 1730.

AN Ingrofs'd Bill to *Confirm the Title of Richard Randolph Gentleman in and to certain Entail'd Lands purchased by him of William Ligon and for selling other Lands and two Negro Slaves of greater Value in lieu thereof to the same uses* was read the third time

Resolv'd, That the Bill do pass.

An Ingrofs'd Bill for the better Government of *Convicts Imported into this Colony and for bringing them To a due and Speedy punishment for their Offences* was read the third time

Resolved, That the Bill do pass.

Order'd, That the Committee of propositions and Grievances do carry the said Bills to the Council and desire their Concurrence thereto

M^r Attorney General according to Order presented to the House a Bill to *prevent Losses to Executors and Administrators by the Sale of Negros Goods and Chattells taken in Execution for amending the Law in Relation to Executors and Administrators for maintaining Actions of Account against Executors and Administrators and by one Join tenant and Tenant in Common against another Jointenant and Tenant in Common their Executors and Administrators for impowering Fathers to dispose of the Custody and Tuition of their Children and for the better managing and Securing Orphans Estates*

Also a Bill to *Enable the Sale of Goods Distrain'd for Rent to secure such goods to the persons Distraining the same for the better Security of Rents and to prevent frauds committed by Tenants*. And the said Bills were Received and severally read the first time and order'd to be read a Second time.

Order'd, That *M^r John Bolling* have leave to be absent from the Service of the House till *Monday* next.

The House Resumed the Adjourn'd Consideration of the Report of the Committee of Publick Claimes, And another part of the said Report was Read and agreed unto with some Amendments by the House

Order'd, That the further Consideration of the said Report be Adjourn'd

M^r Harrison Reported from the Committee to whom the Accounts of Colonel *Spotwood* were Refer'd that the Committee had according to Order Examined the said Accounts and agreed upon a Report which he read in his place and afterwards deliver'd it in at the Table where the same was again Read.

Ordered, That the said Report do lie upon the Table.

Then the House Adjourn'd till to morrow Morning Eleven a Clock.

Friday, June the 26, 1730.

M*R. Harrison* according to Order presented to the House a Bill for *Continuing part of an Act for laying a Duty on Liquors* with some Alterations and Amendments, and the same was Received and read the first time

Order'd, That the Bill be read a Second time

A Bill to prevent losses to Executors and Administrators by the Sale of Negros Goods and Chattells taken in Execution for Amending the Law in Relation to Executors and Administrators for maintaining Actions of Account against Executors and Administrators and by one Jointenant and Tenant in Comon against another Join-Tenant and Tenant in Common their Executors and Administrators for Impowering Fathers to dispose of the Custody and Tuition of their Children and for the better managing and Securing Orphans Estates was Read the Second time

Order'd, That the Bill be Ingros'd.

A Bill to enable the Sale of Goods Distrained for Rent, to Secure such Goods to the Persons Distraining the same; for the better Security of Rents and to prevent Frauds Committed by Tenants, was read the Second time. And after a Debate the Question was put

That the Bill be Ingrossed

Resolved in the Affirmative

Order'd, That the Bill be Ingrossed

The House Refum'd the Adjorn'd Consideration of the Report of the Committee of Publick Claimes And the Residue of the Report was Read and agreed unto with some Amendments by the House

Order'd, That the several Sums hereafter mention'd be paid to the Officers of the General Assembly respectively out of the Public Money in the hands of John Holloway Esq^r Treasurer of Virginia Viz.

	£	s	d
To John Randolph Clerk of the House.....	100	..	.. 0
To William Robertson Clerk of the General Assembly.....	50	..	.. 0
To Richard Hickman Clerk of the Committee of Propositions and Grievances.....	40	..	.. 0
To Benjamin Needler Clerk of the Committee of Courts of Justice.....	40	..	.. 0
To the said Needler for officiating as Clerk Assistant upon the Occasion of the sickness of the Clerk of the House.....	20	..	.. 0
To Miles Cary Clerk of the Committee of Public Claims.....	40	..	.. 0
To Phillip Finch Sergeant at Armes attending this House.....	40	..	.. 0
To Francis Fontaine Chaplin to the House.....	20	..	.. 0
To the Door keeper of the Council.....	10	..	.. 0
To Nicholas Wager John Mundel William Francis and William Johnson.....	£7	.. 10	.. 0 each...
	30	..	.. 0

Order'd, That the said Allowances be added to the Book of Claimes

And that the Committee of Public Claimes do carry the said book to the Council for their Concurrence

Then the House adjorn'd till to Morrow Morning Eleven a Clock

Saturday, June 27, 1730.

A MOTION being made for allowing to Mr Philip Finch Serjeant at Armes attending this House for his extraordinary service at the last Session.

And another Motion being made for a further allowance to be made to the said Phillip Finch for his Service this Session

The previous Question was put

That the Question be put upon the said Motions

It passed in the Negative

A Petition of the Justices of the County of Elizabeth City and the Minister and Church Wardens of the Parish of Elizabeth City in the said County was presented to the House and read Setting forth that Thomas Eaton did formerly give Eight hundred and ten Acres of Land in the said parish to Charitable Uses, for the maintaining a Free School for the Education of poor Children. And that for want of a power in the Justices of the

the said County and the Minister and Church Wardens of the said Parish who are the Trustees of the s'd Charity to let Leases of the said Lands the Charity is become of small Value And praying that leave may be given to bring in a Bill to Enable the Justices of the Peace of the said County and the Minister and Church Wardens of the said Parish for the time being to let Leases of the said Lands for One and twenty Years or three lives for the most Valuable Rents that can be got for the same

Order'd, That leave be given to bring in a Bill according to the Prayer of the Petition And that Mr Robt. Armistead Mr Hollier Mr Roscow Mr Harwood and Mr Lawrence Smith do prepare and bring in the same

Mr Harrison according to Order presented to the House a Bill to Revive the Act for Supply of certain Defects found in an Act prescribing the Method for appointing Sheriffs

And the same was Received and Read the first time.

Order'd, That the Bill be read a Second time

An Ingross'd Bill to prevent Losses to Executors and Administrators by the Sale of Negros Goods & Chattells taken in Execution; for amending the Law in Relation to Executors and Administrators; for maintaining Actions of Account against Executors and Administrators and by one Join tenant and Tenant in common against another Join tenant and Tenant in common their Executors and Administrators; for empowering Fathers to dispose of the Custody and Tuition of their Children; and for the better managing and Securing Orphans Estates was read the third time

Resolved, That the Bill do pass.

Order'd

That the Committee for Courts of Justice do carry the Bill to the Council and desire their Concurrence thereto

A Bill for continuing part of an Act for laying a Duty on Liquors with some Alterations and Amendments was Read the Second time

And after a Debate the Question was put

That the Bill be Ingross'd

Resolved in the Affirmative

Order'd, That the Bill be Ingrossed

A Bill for Reenacting certain parts of an Act Intituled an Act Declaring how long Judgments Bonds Obligations and Accounts shall be in force for the Assignment of Bonds and Obligations directing what proof shall be sufficient in such Cases and ascertaining the Damage upon Protested Bills of Exchange was read the Second time

And after a Debate the Question was put

That the Bill be Committed

It passed in the Negative

Order'd, That the Bill be Ingrossed

A Message from the Council by Mr Robertson

That they have made an Amendment to the Bill Intituled an Act for Vesting certain Lands belonging to the Church of Westover Parish in Trustees to be sold and for laying out the Purchase money in other Lands for a Glebe for the said Church and for improving the same, to which they desire the Concurrence of this House

And that they have agreed to the Bill Intituled an Act for Vesting four hundred and twenty Acres of Land with the Appurtenances in the County of Westmoreland being Entailed in George Turberville Gentleman in Fee Simple, and for Confirming a Settlement of One thousand Acres of Land with the Appurtenances in the County of Stafford of greater Value to the same Uses without any Amendment.

Mr Kemp according to Order presented to the House a Bill to Impower Justices of Peace to Weigh Hemp in Order to Entitle the maker to Receive the Bounty and the same was receiv'd and read the first time

Order'd, That the Bill be read a Second time.

The Amendment made by the Council to the Bill Intituled an Act for Vesting certain Lands belonging to the Church of West Over Parish in Trustees to be sold and for laying out
the

the Purchase Money in other Lands for a Glebe for the said Church and for improving the same, was read and agreed unto by the House

Order'd, That the Committee who prepared the said Bill do acquaint the Council that this House hath agreed to the Amendment by them made to the said Bill.

Then the House Adjourn'd till Monday Morning Eleven a Clock

Monday, June 29, 1730.

MR. R. Armistead according to Order presented to the House a Bill to *Enable the Justices of Peace of the County of Elizabeth City and the Minister and Church Wardens of the Parish of Elizabeth City in the said County for the time being to take and hold certain Lands given by Thomas Eaton to Charitable Uses and to let Leases thereof* and the same was receiv'd and read the first time

Order'd, That the Bill be read a Second time

Mr Kemp Reported from the Committee to whom the Paper Enter'd upon the Council's Journal by *Richard Fitz William Esq^r* the Eighteenth Day of this Instant was Refer'd that the Committee had had the same under their Consideration and had agreed upon a Report which he Read in his place and afterwards deliver'd the same in at the Table where it is again read.

Order'd, That the said Report do lie upon the Table.

A Bill to *revive the Act for supply of certain defects found in an Act prescribing the Method for appointing Sheriffs* was read the Second time.

Ordered, That the Bill be Ingrossed

A Bill to *impower Justices of Peace to Weigh Hemp in order to Entitle the maker to receive the Bounty* was read the Second time.

Order'd, That the Bill be committed to the Committee who prepared the same

Order'd, That it be an Instruction to the said Committee to bring in a Clause to be added to the said Bill for paying unto *William Bird Esq^r* the Bounty upon all Hemp which hath been made by him pursuant to the Act made in the Eighth Year of the Reign of the late King *George* the first for Encouraging the making of Tarr and Hemp

An Ingross'd Bill for *Continuing part of an Act for laying a Duty on Liquors with some Alterations and Amendments* was read the third time.

Resolved, That the Bill do pass

An Ingross'd Bill for *Re-enacting certain parts of an Act Intituled An Act declaring how long Judgments Bonds Obligations and Accounts shall be in force For the Assignment of Bonds and Obligations directing what proof shall be sufficient in such cases and ascertaining the Damage upon protested Bills of Exchange* was read the third time and two Amendments were made to the Bill at the Table

Resolved, That the Bill do pass

An Ingross'd Bill to *Enable the Sale of Goods Distrained for Rent to Secure such Goods, to the persons Distraining the same for the better Security of Rents and to prevent Frauds Committed by Tenants* was read the third time

Resolv'd, That the Bill do pass

Order'd, That the Committee of Courts of Justice do carry the said Bills to the Council and desire their Concurrence thereto.

The House Refus'd the Adjourn'd Debate upon the Report from the Committee to whom the Bill *(to Exempt the Inhabitants of any County Wherein any Iron works are or shall be Erected from clearing or Repairing the Roads leading to and from the same; for making Satisfaction to the Owners of any Lands lying Contiguous to such Roads for the Timber which shall be taken for making or Repairing Bridges in such Roads; And for exempting all persons employ'd in Iron Works from Musters)* was Committed.

And

And the Amendments made by the Committee were read, and one of them was disagreed to—and the Rest were wth amendments to some of them agreed unto by the House.

And other Amendments were made by the House to the Title and also to the body of the Bill.

Order'd, That the Bill with the Amendments be Engrofs'd

Then the House Adjourn'd 'till to Morrow Morning Eleven a Clock

Tuesday, June 30, 1730.

MR. *Kemp* Reported from the Committee to whom the Bill for *impowering Justices of Peace to Weigh Hemp in Order to Entitle the maker to Receive the Bounty* was Committed. That the Committee had made several Amendments to the Title and body of the Bill And had according to Order prepared a Clause to be added to the Bill Which they had directed him to Report. And he read the Amendments and the Clause in his place, and afterwards deliver'd the Bill with the Amendments and Clause in at the Table.

And the Amendments and Clause were twice read and agreed unto by the House
Order'd, That the Bill with the Amendments and Clause be Engrofs'd

Mr *Attorney General* Reported from the Committee of propositions and Grievances that the Committee had according to Order prepar'd A Petition to be presented to His Majesty in Council for Relieving his Subjects in the Northern Neck against several Letters Patents Granted by the late King *Charles* the Second and *James* the Second.

And he deliver'd the Petition in at the Table Where it was twice read and with some Amendments agreed unto by the House as follows.

TO THE KINGS MOST EXCELLENT MAJESTY IN COUNCIL

The Humble Petition of the Burgeesses of the Colony of Virginia Most humbly Sheweth

That King *Charles* the Second by Letters Patents bearing Date at Saint *Germaines en Ley* the Eighteenth of *September* in the first Year of his Reign for Propagating the Christain Faith for the Benefit of the Church and the welfare of his Subjects by the undertaking and vigorous Prosecution of Plantations of fforeign parts; particularly in *America* Granted to the Lord *Hopton* the Lord *Jermin* afterwards Earl of Saint *Albans* Lord *Culpepere* S^r *John Berkly* afterwards Lord *Berkly* of *Stratton* S^r *William Moreton* S^r *Dudly Wyatt* and *Thomas Culpepere* A Territory in *America* bounded by and within the heads of *Rappahannock* and *Potomack* Rivers, the Courfes of the said Rivers as commonly called and known by the Inhabitants and Descriptions of those parts, and *Chesapeak* Bay the Rivers themselves and the Islands within their Banks Havens Ports Harbours and Creeks Gold Silver and other Mines reserving a Fifth of Gold and a Tenth of Silver To hold to them their respective Heirs and Assignes for ever Rendering Yearly to his Majesty Six pounds Thirteen Shillings and four pence Rent

And afterwards the said King *Charles* the Second by Letters patents Dated the Eighth Day of *May* One thousand Six hundred and Sixty Seven Reciting that the Lord *Hopton* had Convey'd his Interest to *John Trethway* Esquire and that the former Letters Patents were Surrendered; in Consideration thereof and the good Services done to the said King and his Royal Father granted the same to the said Earl of Saint *Albans* Lord *Berkly* S^r *William Moreton* and *John Trethway* Esq^r in like manner with power to Divide the said Territory into Counties Hundred Parishes Tithings and Townships Hamlets and Burroughs and to Erect and build Churches Colleges Chappells Free Schools and Alms Houses and Houses of Correction and endow them of which Churches they should be perpetual Patrons and present Masters of Colleges or Schools Founded or Endowed by them or any person And that they might Divide the same into Mannors and hold in every such mannor a Court in Nature of a Court Baron before the Steward by them to be appointed

appointed and free Suitors and hold Plea where the Debt or Demand should not exceed forty shill's *English* Money and Receive the Fines to such Courts belonging and also a Court Leet to be holden twice a year before their Steward or his Deputy and a Market in each Mannor and two Fairs Yearly with a Court of Pipowders with Power to give Grant Sell or Alien the premises and every part or parcell thereof to any Contractor to be held of the Patentees as of any of their Mannors in free and Common Socage by Fealty and Suit of Court or by any Lawfull Tenure Used in *England*; rendering such Rent and other Lawful Reservation as they should think fit the Statute *Quia Emptores Terrarum* or any other notwithstanding And did Covenant to Enlarge and Confirm the said Grant to Supply Defects Provided that this Grant should not Infringe or make void any other before made by the Governor and Council of *Virginia* to any Inhabitant in Actual possession before the Twenty Ninth of *September* in the Thirteenth Year of his Reign which are declared to be good and effectual without other Payment than of the Rent Reserved But to Revert or Escheat to the Patentees With power to dispose at Will of Escheat Lands for their best Benefit And Advantage Provided also that for so much thereof as should not be possessed or Inhabited by their means or Procurement within One and Twenty Years next after the said Grant the same should Cease and the King might dispose thereof

That King *James* the Second by his Letters Patents bearing Date the Seven and Twentieth day of *September* in the fourth Year of his Reign reciting the said last mentioned Grant and that therein amongst several other things there is contained a proviso in these words "PROVIDED also that as to so Much and such part and parts of the "Premises hereby intended to be granted as within the time and Space of One and "Twenty Years now next coming shall not be possessed inhabited or planted at or by the "means or procurement of the said *Henry* Earl of Saint *Albans* *John* Lord *Berkley* S'r "*William* *Moreton* and *John* *Trethway* their Heirs and Assignes These presents and the "Grant hereby made shall cease determine and be void." And we our Heirs and Successors may dispose thereof to any other person or persons whatsoever any thing herein Contain'd to the contrary notwithstanding

And that these Patentees had Conveyed their Right to *Thomas* Lord *Culpeper* whom he was willing to encourage by Confirming and enlarging that Patent and releasing the said Proviso And in Consideration of Services done by his Father and him self Grants him that Territory of Land in *Virginia* Bounded by and within the first heads or Springs of the Rivers *Rappahannock* and *Potomack* the Courses of the said Rivers from their first Heads or Springs as commonly Call'd, and known by the Inhabitants Descriptions of those parts and *Chesapeake* Bay &c, as mention'd in the before Recited Grant with power to sell and dispose thereof and all and all manner of Deodands Goods of Felons and Fugitives Fines and Forfeitures and Confirms the former Grant Except the said last mentioned Proviso which he Releases with all Arrears of Rent.

UPON which several Grants the Representatives of Your Majesties most Dutyful and Loyal Subjects the People of *Virginia* humbly beg leave to Represent

THAT his said late Majesty King *Charles* the Second was Induced to grant the said Territory upon a Suggestion that the same was not inhabited by any of His Subjects wherein he was Deceiv'd for long before the said Letters Patents Considerable Quantities of Land were Granted to And possessed by the people of *Virginia* within the bounds of that Grant And the same from the first Settlement of this Colony was held by them as part of *Virginia*. And moreover the late King *James* the first and King *Charles* the first had Granted by several Letters Patents under the Great Seal of *England* to the Subjects of this Colony that they should be immediately Dependent on the Crown of *England* both in respect to their persons and Estates which were Grounded upon the great hardships the first planters had Endured under the *Virginia* Company.

And when several persons did afterwards in the reign of King *Charles* the first attempt to procure a Grant of the said Colony or part thereof The Governor Council and Burgeesses

Burgeffes did pafs an Act wherein they did declare that they would not fubmit to any fuch Grants And did proteft againft any Alienation of their perfons or Lands which Act his Majefty was pleaf'd by his Letters under his fign Manual given at his Court at *York* the Fifth day of *July* One thoufand Six hundred Forty and two to Ratife and Confirm Whereof His Majefty King *Charles* the Second could not be informed when the faid Letters Patents were Granted by him. Befides your Petitioners humbly conceive and are Advifed that the Uncertainty of the Limits and bounds of the faid Territory as the fame are fet forth in the faid feveral Letters Patents of King *Charles* the Second doth Vitiare the Grants in Regard that his Majefty could not be rightly Inform'd of the heads of thofe two great Rivers (which have fo many different Sources that the fame cannot be Determin'd) nor of the vaft Country which the Patentees by colour of the faid Grants might Claim.

AND the Clause of the faid Letters Patents of King *Charles* the fecond whereby the faid Territory is granted to be Divided into Mannors and to be held of the Patentees in Free and common Soccage by Fealty and Suit of Court or by any Lawfull Tenure ufed in *England* Rendering fuch Rent and other Lawfull Refervation as they think fit are not only Repugnant to former Grants of the Crown.

And to the Act of Affembly aforefaid Confirm'd by the late King *Charles* the firft and contrary to the Terms upon which our Ancestors firft Tranfported themfelves to plant this Colony But the fame and the Difpenfation of the Statute of *Quia Emptores Terrarum* are conceived to Be void and illegal feeing great Numbers of the People of this Colony who at great Expence are daily making Plantations and Settlements towards the great Mountains are hereby Subjected to the Will of the Proprietary as to the Tenure and Rents by which they hold their Lands

YET the provifo in the faid Letters patents That the Grant for fo much of the faid Territory as fhould not be poffeffed or inhabited by the means or procurement of the Patentees within One and Twenty Years after the Date fhould ceafe and the King might difpofe thereof did in fome meafure Circumfcribe the mifchiefs which might enfue from the Grant

BUT the General Affembly of *Virginia* in the Year One thoufand Six hundred Seventy four being juftly Alarmed by the faid Grant did Remonstrate to His Majefty King *Charles* the Second the hardfhips which would in Confequence thereof Attend his Subjects here And not only the Lords *Arlington* and *Culpepere* then proprietors of the s'd Letters Patents were fo far fatisfy'd as to the reafonablenefs of the Complaint that they did agree to relinquifh their right and to take a new Grant for the Quit Rents and Efcheats And to come into a Collateral Agreement with the Colony about the manner of paying the Quit Rents and Compoftions for Efcheats

But his faid late Majefty upon a hearing before him in Council was pleafed to order a Charter to pafs the Great Seal for confirming to the People of *Virginia* divers rights and privileges which they apprehended were Violated by the faid Grant.

AND purfuant thereunto A Charter paffed under the Great Seal bearing Date at *Westminfter* the Tenth Day *October* in the Twenty Eighth Year of his Reign

Whereby his faid Majefty did declare and Grant. That all his fubjects from time to time inhabiting *Virginia* fhould have their immediate dependance upon the Crown of *England* under fuch Governors as his faid Majefty and his Suceffors fhould from time to time appoint and upon no other perfon or perfons whatfoever. And that All Lands then poffeffed by the Refpective Inhabitants of *Virginia* fhould be Confirmed and Eftablifhed to them and their Heirs for ever where the Property of any perticular mans Intereft in any Land fhould not be alter'd or prejudiced, And that for the Encouragement of fuch of his Subjects as from time to time fhould go to dwell there Fifty Acres fhould be Affign'd out of the Lands not then Appropriated to every perfon fo coming to dwell there as had been ufed and allowed fince the firft Plantation thereof to be held of his Majefty his Heirs and Suceffors as of his Mannor of *East Greenwich* in the County

County of *Kent* in Free and Common Socage And that all Lands possessed by any Subject Inhabiting *Virginia* Which Escheated or should Escheat to His Majesty his Heirs Or Successors should and might be enjoyed by such Inhabitant or possessor his Heirs and Assigns for ever paying two pounds of Tobacco Composition for every Acre And thereby did declare his Royal Will and pleasure to be That the said Charter and every Clause Article and Sentence therein should from time to time as often as any Ambiguity Doubt or Question might happen to arise thereupon be Expounded Construed Deemed and taken to be by him meant and intended and should Enure and take Effect in the most beneficial and Available fence for the benefit and Advantage of the Subjects of *Virginia* as well against his Majesty his Heirs and Successors as against all and every other person and persons whatsoever

THE Matter being thus Settled At the humble Suit of the General Assembly and all Occasions of future uneasiness among the People being in great measure Removed It was matter of great Surprise to the Subjects of *Virginia* That the late King *James* the Second should in so few Years afterwards not only Release the Provifo in the Letters Patents of King *Charles* the Second

BUT extend the Grant to the head Springs of the two Great Rivers *Rappahanock* and *Potomack* and likewise Grant the Goods of Felons and Fugitive Fines and Forfeitures within that Territory

WHEREUPON the General Assembly of this Colony in the Year One thousand Six hundred & Ninety One taking Umbrage at the said last mentioned Grant did humbly Represent the hardship thereof to the late King *William* the Third And obtained a Reference of their Petition to S^r *John Somers* then Attorney General who after a hearing in behalf of the Petitioners for want of a true information of the Case did make a Report in favour of the Grant which was Confirm'd by his Majesty in Council And afterwards in the Year One thousand Six hundred Ninety five the said General Assembly did again Represent the Case to his said Majesty but nothing was done thereupon.

YOUR Petitioners do further humbly Represent unto your Majesty that by the said Letters Patents of King *James* the Second still greater Incertainty is Introduced as to the Bounds of the said Territory the head Springs of the two Great Rivers *Rappahanock* and *Potomack* not being yet known to any of your Majesties Subjects And in Consequence of this uncertainty several Disputes have lately arisen between your Majesties Subjects inhabiting Lands towards the head of the River *Rappahanock* and the present Proprietor of the said Territory touching the Main Branches of that River and the like Disputes will daily more and more increase and infinite difficultys must Occur in the Determination of the same Whereby the Estates and Titles of many of your Majesties Subjects holding Lands under the Grants of your Majesty and your Royal Predecessors must necessarily be brought frequently into Question to the Disquiet and Impoverishing your Majesties said Subjects.

AND the Grant of Felons Goods Fines and Forfeitures doth not only in many Cases that may deserve Compassion Subject the people of this Territory to the Will and Avarice of the Proprietor But they are likewise as to these matters Excluded from your Majesties Mercy and Clemency which Insupportable mischief must give occasion to continual Murmurings and Complaints of your people. And we humbly hope that this part of the Grant is illegal as it is Destructive of their undoubted Rights and Privileges

NOR can we apprehend that the Release of the Provifo Recited in the said Grant can be Valid after the *Virginia* Charter granted by the late King *Charles* the Second.

BUT a greater Calamity than all the rest is the precarious Titles which your Majesties said Subjects have in their Lands under the Grants of the Proprietor For your Petitioners are informed that the present Proprietor holds the said Territory under a Settlement which disables him to Grant any of the said Lands in Fee Simple and he himself has Disputed the right of his Agent here to grant Lands pursuant to the said Charters And if these Matters should be brought into Dispute not only great Numbers
of

of your said Subjects may be unjustly disturbed in their possessions But the planting and improving a very Considerable part of this Colony must hereafter be totally Obstructed

THEREFORE upon the whole matter Wee humbly beseech Your Majesty to take the Premises into your consideration and to order such proceedings to be had against the said several Grants as may Relieve your Subjects whose Estates lie within the said Territory against the Exorbitant and Unwarrantable powers contain'd therein (the Execution whereof must Introduce the greatest Confusion imaginable among them) or to purchase the Right of the Proprietor as your Majesty in your great Wisdom shall think meet that your Subjects may hold their Lands immediately of your Majesty your Heirs and Successors and be restored to the Grace and Mercy of your Majesty. And that others of your Subjects who are Inhabitants within some of the Branches of the River *Rippahanock* may not be Involved in tedious and Expensive Controversie with the said Proprietor concerning their Right to their Estates which they hold under your Majesty.

Order'd, That the said Petition be Ingrossed on Parchment And that the Governor be Address'd to fix the Seal of the Colony thereto And to Transmit it to *England* to be presented to His Majesty in Council

Order'd, That Mr *Lee* have leave to be absent from the Service of the House for ten days.

An Ingrossed Bill *to revive the Act for supply of certain Defects found in an Act prescribing the Method for appointing Sheriffs* was read the third time

Resolved, That the Bill do pass.

An Ingross'd Bill *to Exempt the Inhabitants of any County Wherein any Iron Works are or shall be Erected from clearing or Repairing the Roads leading to and from the same. For making Satisfaction to the Owners of any Lands lying Contiguous to such Roads for the Timber which shall be taken for making or Repairing Bridges in such Roads and for giving further Encourag'ment to Adventurers in Iron works* was read the third time

Resolved, That the Bill do pass

Order'd, That the Committee of Propositions and Grievances do carry the said Bills to the Council and desire their Concurrence thereto

A Bill *to enable the Justices of Peace of the County of Elizabeth City and the Minister and Church Wardens of the Parish of Elizabeth City in the said County for the time being to take and hold certain Lands given by Thomas Eaton to Charitable uses and to Lett Leases thereof* was read the Second time

Order'd, That the Bill be Ingrossed

A Motion being made

That the Resolve of this House of the Twenty Second of this Instant that no Member of this House shall receive his Wages for the time he shall have been absent from the Service of the House on his own private Occasions, be sent to the Council for their Concurrence.

After a Debate the previous Question was put

That the Question be put upon the Said Motion

Resolved in the affirmative

Then the Question was put

That the said Resolve be sent to the Council for their Concurrence

Resolved in the Affirmative

Order'd, That Mr *Tayloe* Mr *Lee* Mr *Hen: Armistead* Mr *Grimes* Mr *Braxton* Mr *Martin* Mr *Mead* Mr *Randolph* Mr *Fitzhugh* Mr *Thornton* and Mr *Strother* do carry the said Resolve to the Council and desire their Concurrence thereto

Order'd, That a Bill be brought in to prevent any Member of the House of Burgesses to receive any Wages for the time he shall be absent from the Service of the House in any future Session of Assembly And that Mr *Tayloe* Mr *Braxton* Mr *Blair* and Mr *Strother* do prepare and bring in the said Bill

Then the House Adjourn'd till to morrow Morning Eleven a Clock

Wednesday,

Wednesday, July 1, 1730.

MR. Robinson mov'd for leave to present to the House a Bill to oblige the Court of Caroline County to Levy on the Tythable persons of the said County a proportion of the Wages of the Burgeffes of Essex King and Queen and King William Counties due for the last Session of Assembly and also a proportion of the last Publick Levy. And the said Bill was Received and read the first time

Order'd, That the Bill be read a Second time

Mr Tayloe mov'd for leave to present to the House a Bill for altering the manner of payment of Rewards for killing Wolves And the said Bill was Receiv'd and Read the first time

Order'd, That the Bill be read a Second time

The House proceeded to take into their Consideration the Report of the Committee to whom the Paper Enter'd upon the Council Journal by Richard Fitz William Esq^r the Eighteenth Day of June containing Reasons for his Dissent to a Resolve of the Council Concurring with a Resolve of this House for paying the Burgeffes Wages and all the Charges of this Session of Assembly in Money was refer'd and part of the said Report was read & Agreed unto by the House as follows.

As to the first of the said Reasons

"That the said Resolve is Repugnant to a Law now in force for the Payment of the Burgeffes."

The Committee have considered that Law and do not find it is thereby Declared that the Allowances for Burgeffes attending at the General Assembly Shall be paid no otherwise then in Tobacco. And the Law by which that Publick Money hath been raised being made and declared to be for easing the People from the burthen of a Poll Tax

The Committee are of Opinion that the Applying the Money that way is equal and just and is not Repugnant to any Law

As to the Second of the said Reasons

"That five thousand two hundred pounds of the Money in the Treasurers hands is Appropriated for the Encouragment of those that shall go upon making Naval Stores "which Appropriation must be Violated by this Resolve there not being money sufficient "to answer that & other just demands & to Comply with this Resolve."

This Committee have consider'd the Act of Assembly made in the Eighth Year of the Reign of the late King George By which it appears the Sum of four thousand pounds was said to be Appropriated to pay a Reward of four Shillings for every Grofs hundred of Hemp which should be made according to the Directions of the said Act. And the further Sum of Twelve hundred pounds to satisfy and pay a Reward of two Shillings for every Barrel of Tar made according to the Directions of the said Act and Exported out of this Colony. This Committee have also considered the Act of Assembly made in the Ninth year of the Reign of the said late King By which it is Enacted and declared that the said Four thousand pounds and twelve hundred pounds were not Appropriated for paying The said Bounties or any other perticular Use. And if any of the said Bounties should after making the said Act of the Ninth Year of the said late King become due the same should be paid out of the first monies which should be in the hands of the Treafurer And that the said Bounties should be made good to the persons Intituled thereto as the same became due They have also Inspected the Accounts of the Treafurer of those Monies from the time of granting those Bounties to the present time and find only the Sum of Three pounds Sixteen shillings charged as paid for the Bounty upon Hemp and nothing charged as paid for the Bounty on Tarr

So that this Committee are of Opinion the Bounties as aforesaid given are Sufficiently Secured to such persons as shall at any time hereafter be Lawfully Intituled thereto

As

As to the third of the said Reasons

"That the Money they have voted themselves in Lieu of Tobacco is in some Counties "twice more than the quantity they are Intituled to would sell for if it may be Computed "at the rate other publick Tobacco (particularly His Majesties Quit Rents) has been "fold Besides by this Resolve some Members are to be paid who are not by Law Intituled "to any pay and others who by some private agreement with their Counties have Quitted "that Claim."

This Committee cannot conceive how any person can now say what the Value of Tobacco will be at the time the Burgeffes Wages if they had been to be paid in Tobacco should become payable

And for as much as divers Acts of Assembly both Antient and Modern wherein Tobacco has been Valued in Money have settled the same at ten shillings for the hundred pounds

This Committee are of Opinion that with respect to the Colony in General that Value is most equal and reasonable and agreeable to the Usage and Custom of this Country

The Members said not to be Intituled to any pay by Law are understood by this Committee to be the Representatives of the Corporations in this Colony who sit and Vote in this House and have a share in the Legislative power by Letters patents equally with the Representatives of Counties

Wherefore this Committee are of Opinion it is very agreeable to Justice and Equity that the Corporation Members should Receive A reward suitable to their Attendance and Service in this House.

This Committee do not know any private agreement made by any Members of this House with their Counties relating to their Pay.

As to the fourth of the said Reasons

"That the said *Richard Fitz William* apprehends that some of the Members before "mention'd and others of mean Circumstances and consequently very desirous of being "paid at this Rate in Money are liable to be Byassed in their Voting well knowing that "such pay cannot be had without the consent of the Governor and this Board"

This Committee are of Opinion the Apprehension of the said *Richard Fitz William* is Groundless and without colour of Reason and from such an Apprehension to insinuate that any Member or Members of this House may be byassed in their Voting upon the Consideration of being paid their Wages in Money is a most Scandalous and unjust reflection upon the Members of this House and all other Burgeffes who have formerly receiv'd their Wages in Money

And as to the last of the said Reasons

"That it is most unreasonable that a very few people trading to the *West Indies* "should be burthen'd with so heavy a Duty on their Liquors with a view only to have "the greatest Share of it distributed among the Burgeffes."

This Committee do find that the method of raising Money by laying a Duty on Liquors Imported hath been practised in this Colony for many years past And that It hath been approved by our Sovereign That it eases the people from the heavy burthen of a poll Tax which must otherwise be laid upon them And that many publick Buildings have been Erected and other necessary works and Expences made and defrayed by the Monies arising from such Duties

And are of Opinion that Duty is not burthensome to the Importers of such Liquors but is paid by the consumers thereof.

And for one person to Advance an Opinion in so Indecent a manner against the whole Legislative power of *Virginia* is Unprecedented and Unwarrantable

And for the said *Fitzwilliam* to Affirm that Duty was laid with a View only for the Burgeffes to have the greatest Share of the Money Distributed among themselves is in the Opinion of this Committee a false Scandalous and malicious Reflection upon the Members of this House.

And

And it is the further Opinion of this Committee that the said Paper could be Enter'd on the Council Journal by the said *Richard Fitz william* with no other design than to misrepresent this House and their proceedings to His Majesty and to bring this House into Disgrace and the Displeasure of his Majesty

The Residue of the Report of the said Committee for making an humble Representation to his Majesty in Council against the said *Richard Fitz William Esq^r* being Read After a Debate the Question was put

That that part of the Report of the said Committee be agreed to by the House

Noes 28 }
Yeas 28 } *Mr Speaker* Noe

And so it pass'd in the Negative

Mr Attorney General Reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration a proposition of *Northumberland* County relating to the bounds between the said County and the County of *Lancaster* And had agreed upon a Report which he read in his place and afterwards delivered it in at the Table where the Report was again Read and is as follows

That the Committee do find that those bounds were laid off by the Order of this House the Ninth day of *July* One thousand Seven hundred Twenty three which were approv'd off the Eighteenth Day of *May* 1726 by this House

That at the last Session of Assembly it was Order'd that *Mr Lee* *Mr Tayloe* and *Mr Grymes* or any two of them should run the Dividing Line between the Parish of *Wickocomico* in the said County of *Northumberland* and the Parishes in the County of *Lancaster* on which that Parish joyns as the bounds were Reputed before the year 1723 at the Charge of the Parish of *Wickocomico*

And that the Committee are of Opinion that the Consideration of that proposition be Refer'd 'till Return be made of the bounds of the said Parishes

The said Report being read a Second time

Resolv'd, That the Consideration of the said Proposition be Refer'd till the bounds of the said Parishes be laid out, and return'd pursuant to the said Order.

Order'd, That *Mr Kemp* *Mr Thacker* and *Mr Robinson* or any two of them do lay out the Bounds of the said Parishes pursuant to the Order of the House of Burgesses of the 16 of *March* in the Year 1727. And that they do make a Report of their proceedings therein to the next Session of Assembly.

An Ingrossed Bill for *impowering Justices of Peace and Constables to Weigh Hemp in Order to Entitle the maker to receive the Bounty and for paying to William Bird Esq^r Five pounds four Shillings due to him for the Bounty upon hemp* was read the third time

Resolv'd, That the Bill do pass.

An Ingrossed Bill to *Enable the Justices of Peace of the County of Elizabeth City and the Minister and Church Wardens of the Parish of Elizabeth City in the said County for the time being to take and hold certain Lands given by Thomas Eaton to charitable Uses & to let Leases thereof* was read the third time

Resolved, That the Bill do pass.

Order'd, That *Mr Kemp* *Mr Hollier* *Mr Robert Armistead* and *Mr Roscow* do carry the said Bills to the Council and desire their Concurrence thereto

Then the House Adjourn'd till to morrow Morning Eleven a Clock.

Thursday, July 2, 1730.

M*R. Tayloe* according to Order presented to the House a Bill for the better Regulating the payment of the Burgesses Wages and the same was receiv'd and read the first time

Order'd, That the Bill be read a Second time

A Bill to oblige the Court of *Caroline County* to Levy on the Tythable persons of the said County a proportion of the Wages of the Burgesses of *Effex King* and *Queen* and *King William*

William Counties due for the last Sessions of Assembly and also a proportion of the last Public Levy was read the Second time.

Order'd, That the Bill be Ingrossed.

A Message from the Council was deliver'd by Mr *Robertson*

That the Council having under Consideration the Bill sent up from this House for amending the Staple of Tobacco desire an immediate Conference on the Subject matter of the said Bill, and that if it be agreed to, they will appoint three of their Members to manage the same

And then he withdrew

Resolv'd, That this House doth agree to the Conference desired by the Council upon the Subject matter of the Bill for *Amending the Staple of Tobacco*

The Messenger was called in again

And Mr *Speaker* acquainted him that the House had agreed to the Conference desired by the Council.

Order'd, That Mr *Attorney General* Mr *Meriweather* Mr *Eschridge* Mr *Taylor* Mr *Kemp* and Mr *Randolph* do forthwith withdraw and attend and manage the said Conference

And they withdrew accordingly.

And being return'd Mr *Attorney General* Reported from the Conference that the Managers from the Council, had acquainted the Managers of this House That the Council having under their Consideration the Bill for *amending the Staple of Tobacco* and finding therein no provision made for the purchase of Scales and Weights for the several Store houses; To keep up a good Correspondence with this House and to avoid Disputes concerning the privileges of this House: They desire to know the Sentiments of this House whether they will Concurr in the same Opinion with them that the charge of those Weights and Scales and the Deficiency of the Duty Appropriated by the Bill for Defraying the Expence of the Execution thereof if any should happen should be defray'd and made good out of the Publick Money in the hands of the Treasurer

Resolv'd, That this House doth agree that the Council may add one Clause or more to the said Bill for purchasing Weights and Scales and making good the Deficiency of the Duty Appropriated for defraying the Expence of the Execution of the said Bill (if any should happen) out of the publick Money in the hands of the Treasurer.

Order'd, That the managers of this House do acquaint the Managers of the Council that this House hath agreed that one Clause or more for the purposes aforesaid may be added by the Council to the said Bill.

A Bill for *altering the manner of Payment of Rewards for killing Wolves* was read the Second time.

And after a Debate the Question was put

That the Bill be Committed

It pass'd in the Negative

Resolved, That the Bill be Rejected

The House proceeded to take into Consideration the Report of the Committee to whom the Accounts of Colonel *Spotswood* of several Sums of Money put into his hands by an Act of Assembly made in the year 1720 for Erecting the Counties of *Spotylvania* and *Brunswick* and granting certain Exemptions and Benefits to the Inhabitants thereof was Refer'd

And the said Report was read

And several Articles of the said Accounts refer'd to in the said Report were also read

And the Question was severally put upon the said Article and some of them were allow'd with an Abatement and others were allowed without any Abatement and some of them were disallowed by the House.

Then part of the said Act of Assembly was read

Order'd, That the Doors of the House be shut, and the keys brought in and laid upon the Table.

And

And a Motion being made for calling over the Houfe

The Houfe was called over accordingly

And excufes being made for feveral of the abfent Members the fame were allow'd by the Houfe.

Order'd, That Mr *Egglefton* Mr *Diggs* and Mr *Nicholas* be taken into Cuftody of the Serjeant at Armes attending this Houfe for abfenting themfelves from their Duty and the Service of the Houfe

Then a Debate arofe upon the faid Aft of Affembly

And the Queftion being put thereupon

Refolv'd, That this Houfe is not obliged to make good to Colonel *Spotswood* the Money he has laid out in Erecting and building the Church Court Houfe prifon pillory and Stocks in the County of *Spotfilvania* more than the Five hundred pounds Appropriated for that purpofe by the Aft of Affembly made in the Year 1720 for Erecting the Counties of *Spotfilvania* and *Brunfwick* and granting certain Exemptions and benefits to the Inhabitants thereof

Refolv'd, That the Sum of One hundred pounds be allowed to Colonel *Spotswood* for his own Trouble in carrying on the faid Buildings and providing the Armes for the Counties of *Spotfilvania* and *Brunfwick* purfuant to the faid Aft of Affembly

Refolv'd, That it appears to this Houfe that the Sum of Two hundred and thirty Nine pounds Seventeen Shillings remains in the hands of Colonel *Spotswood* which ought to be laid out for Armes to be diftributed among the Inhabitants of the County of *Brunfwick* purfuant to the faid Aft of Affembly.

Then an Account of Colonel *Spotswood* Expences in going to *Albany* to make a Treaty with the Northern Indians with feveral Commiffioners at the Request of the General Affembly was laid before the Houfe

And the Title of the Account was read

Order'd, That the faid Account be confidered to morrow morning

A Message from the Council by Mr *Robertfon*

That they have made feveral Amendments to the Bill Intituled *an Aft for amending the Staple of Tobacco* to which they defire the Concurrence of this Houfe And that they have fent to this Houfe a Petition of *Thomas Carter* in Relation to one of thofe Amendments

That they had agreed to the Bill Intituled *an Aft to Confirm the Title of Richard Randolph Gentleman in and to certain Entailed Lands purchafed by him of William Ligon and for felling other Lands and two Negro Slaves of greater Value in lieu thereof to the fame uſes* without any Amendment

And that they had alfo agreed to the alteration propof'd to be made by this Houfe in the Windows in the Houfe of Burgeffes and the General Court.

Then the Houfe Adjorn'd till to morrow Morning Eleven A Clock.

Fryday, July 3, 1730.

AN Ingroffed Bill to oblige the Court of Caroline County to Levy on the Tythable perfons of the faid County a proportion of the Wages of the Burgeffes of Effex King and Queen and King William Counties due for the laſt Seſſion of Affembly and alſo a proportion of the laſt Publick Levy was read the third time

Refolv'd, That the Bill do paſs.

Order'd, That Mr *Robinfon* Mr *Randolph* and Mr *Rofcow* do carry the Bill to the Council and defire their Concurrence thereto

A Message from the Council by Mr *Robertfon*

That they have made feveral Amendments and Additions to the Book of Claimes to which they defire the Concurrence of this Houfe.

Order'd, That Mr *Mead* have leave to be abſent from the Service of the Houfe till Monday next.

The

The Houfe being inform'd that Mr *Diggs* Mr *Nicholas* and Mr *Egglestone* attend at the Door in Cuftody and Defire to be admitted to take their places in the Houfe They were order'd to be Difcharg'd out of Cuftody paying Fees.

A Bill for the better Regulating the Payment of the Burgefles Wages was read the Second time

Resolved, That the Bill be Committed

And it was Committed to

Mr *Taylor*

Mr *Strother*

Mr *Braxton*

Mr *Randolph*

Mr *Blair*

Mr *Flemming* and

Mr *Burges*

Mr *John Bolling* Reported from the Committee to whom the petition of *John Sutton Farrer* was Refer'd. That the Committee had examined the Allegations of the faid petition and agreed upon a Report which he read in his place and afterwards deliver'd it in at the Table where the fame was again read.

Order'd, That leave be given to bring in a Bill according to the Prayer of the faid Petition. And that Mr *John Bolling* Mr *Ravenscroft* and Mr *Samuel Harwood* do prepare and bring in the faid Bill.

Then the Houfe proceeded to take into Confideration Colonel *Spotswoods* Account of Expences of the Treaty at *Albany* with the Northern *Indians* in the Year 1722.

And part of the Governors Speech to the Affembly in the Year 1722 and feveral Refolves of the Houfe of Burgefles in relation to the faid Treaty were Read

The Governors Speech at the end of the Seffion and the Accounts were alfo read.

The Houfe being inform'd that Colonel *Spotswood* defired to be heard at the Bar of the Houfe by his Council upon his faid Accounts

A Motion was made that a day may be appointed for hearing him accordingly.

And the Queftion was put thereupon

Refolv'd in the Affirmative

Order'd, That Colonel *Spotswood* have leave to be heard by his Council at the Bar of the Houfe upon the faid Accounts on *Monday* next

The Houfe took into Confideration the Amendments and Additions made by the Council to the Book of Claimes and the fame were read and agreed unto by the Houfe

Order'd, That the Committee of Publick Claimes do carry the Book of Claimes to the Council and acquaint them that this Houfe hath agreed unto the Amendments and Additions by them made to the faid Book

Order'd, That Mr *Flemming* be added to the Committee for proportioning the Publick Levy. And the faid Committee are to meet and adjourn from day to day 'till they have fettled the proportions of the faid Levy.

Order'd, That the faid Committee do prepare and bring in a Bill for Raifing a publick Levy.

The Houfe proceeded to take into confideration the Amendments made by the Council to the Bill for Amending the Staple of Tobacco And the fame were Read Several of the faid Amendments being feverally read a Second time one of them was difagreed unto and others were (with feveral Amendments to fome of them) agreed unto by the Houfe

Order'd, That the further Confideration of the faid Amendments be Adjourn'd 'till to morrow morning

Then the Houfe Adjourn'd 'till to morrow Morning Eleven a Clock

Saturday, July 4, 1730.

MR. *Samuel Harwood* prefented to the Houfe according to Order a Bill for Vefting certain Entailed Lands in William Randolph an Infant which were purchased by his Father Thomas Randolph Gentleman Deceased of John Sutton Farrar and for Selling other Lands and Negros given in lieu thereof of greater Value to the fame Ufes and the fame was Receiv'd and read the firft time

Order'd,

Order'd, That the Bill be read a second time.

Mr Tayloe Reported from the Committee to whom the Bill *for the better Regulating the Payment of the Burgeffes Wages* was Committed an Amendment made by the Committee to the Bill which he read in his place and afterwards deliver'd the Bill with the Amendments in at the Table. Where the Amendment was twice read and agreed to with an Amendment.

Order'd, That the Bill with the Amendment be Engroffed.

The House according to Order Refum'd the Adjourned Consideration of the Amendments made by the Council to the Bill *for Amending the Staple of Tobacco*

And the Residue of the Amendments were Read

And a Petition of *Thomas Carter* of the County of *Lancaster* to the Governor and Council praying that the Store house appointed by the Bill as it pass'd this House upon his Land may be appointed at some other place was also Read

And all the said Amendments (with several amendments to some of them) were agreed to by the House

Order'd, That the Committee who prepared the said Bill do carry the same to the Council and acquaint them that this House hath disagreed to the Second Amendment & hath agreed to all the other Amendments by them made to the said Bill, with some Amendments to some of them to which they desire their Concurrence.

A Message from the Council by Mr *Robertson*

That they have made some Amendments to the Bill Intituled an *Act to prevent Losses to Executors and Administrators by the Sale of Negros Goods & Chattells taken in Execution for amending the Law in Relation to Executors and Administrators for maintaining Actions of Account against Executors and Administrators and by one Jointenant and tenant in Common against another Jointenant and tenant in Common their Executors and Administrators for empowering Fathers to dispose of the Custody and Tuition of their Children and for the better managing and Securing Orphans Estates.*

And also to the Bill Intituled an *Act for Re enacting certain parts of an Act declaring how long Judgments Bonds Obligations and Accounts shall be in force for the Assignment of Bonds and Obligations directing what proof shall be sufficient in such Cases and ascertaining the Damage upon protested Bills of Exchange to which they desire the Concurrence of this House.*

And that they have agreed to ye Bill Intituled an *Act to Enable the Sale of Goods Distrained for Rent and to secure such Goods to the persons Distraining the same for the better Security of Rents and to prevent Frauds committed by Tenants.*

And also to the Bill Intituled an *Act to Enable the Justices of peace of the County of Elizabeth City and the Minister & Church Wardens of the parish of Eliza. City in the said County for the time being to take and hold certain Lands given by Thomas Eaton to Charitable Uses and to Lett Leases thereof.*

And also to the Bill Intituled an *Act for empowering Justices of Peace and Constables to Weigh Hemp in Order to Entitle the maker to Receive the Bounty and for paying to William Bird Esqr. Five pounds four Shill due to him for the Bounty upon Hemp without any Amendment.*

A Bill *for Vesting certain Entailed Lands in William Randolph an Infant which were purchased by his Father Thomas Randolph Deceased of John Sutton Farrar And for Selling other Lands and Negros given in lieu thereof to the same uses* was read the Second time

Order'd, that the Bill be Engroffed

A Message from the Council by Mr *Robertson*

That they do Recede from the Amendment by them made to the Bill Intituled An *Act for Amending the Staple of Tobacco* to which this House hath disagreed And that they have agreed to all the Amendments made by this House to their Amendments to the said Bill.

And

And the title of the Bill is an *Act* for amending the Staple of Tobacco And for preventing Frauds in his Majesties Customs

Then the House Adjourn'd till Monday Morning Eleven of the Clock

Monday, July 6, 1730.

MR. Kemp Reported from the Committee to whom it was Refer'd to prepare an Address to His Majesty. That the Committee had prepared an Address accordingly which they had Directed him to Report to the House. And he read the Address in his place and afterwards deliver'd it in at the Table where it was again twice read and agreed unto by the House

Order'd, That the said Address be fairly Transcribed and a Blank left for the Council And that the Committee who prepared the said Address do carry the same to them and desire their Concurrence thereto

Order'd, That the Committee of Publick Claims do carry the Book of Claimes to the Governor And desire his Assent thereto.

The House proceeded to take into consideration the Amendments made by the Council to the Bill Entituled an *Act* for Re-enacting certain parts of an *Act* declaring how long Judgements bonds Obligations and Accounts shall be in force for the Assignment of Bonds and Obligations directing what proof shall be sufficient in such Cases and ascertaining the Damage upon protested Bills of Exchange.

And the said Amendments being twice read were agreed unto by the House

And the Title of the Bill is an *Act* for ascertaining the damage upon protested Bills of Exchange for the better Recovery of Debt due on promissary Notes And for the Assignment of bonds Obligations and Notes

Order'd, That the Committee for Courts of Justice do carry the Bill to the Council and acquaint them that this House hath agreed to the Amendments by them made to the said Bill.

The House then proceeded to take into consideration the Amendments made by the Council to the Bill Intituled An *Act* to prevent Losses to Executors and Administrators by the Sale of Negroes Goods and Chattells taken in Execution for amending the Law in Relation to Executors and Administrators for Maintaining Actions of Account against Executors & Administrators; and by one Join tenant and Tenant in common against another Join Tenant and Tenant in common their Executors and Administrators for empowering Fathers to dispose of the Custody and Tuition of their Children and for the better managing and Securing Orphans Estates.

And the said Amendments were twice read and the first and Second Amendments were agreed to and the rest were disagreed to by the House.

Order'd, That M^r Conway M^r Burges M^r Blair M^r Robert Bolling and M^r Robinson do carry the Bill to the Council and acquaint them that this House hath agreed to the first and Second Amendment and hath disagreed to all the other Amendments by them made to the said Bill

An Ingross'd Bill for the better Regulating the Payment of the Burgeses Wages was read the third time.

Resolved Nemine Contradicente

That the Bill do pass.

A Message from the Council by M^r Robertson

That the Council hath agreed to the Bill Intituled An *Act* for continuing part of an *Act* for laying a Dutie on Liquors with some Alterations and amendments

And also to the Bill Intituled an *Act* to exempt the Inhabitants of any County wherein any Iron works are or shall be Erected from Clearing or Repairing the Roads leading to and from the same for making Satisfaction to the Owners of any Lands lying Contiguous to such Roads

Roads for the Timber which shall be taken for making or repairing Bridges in such Roads and for giving further Encouragements to Adventurers in Iron works.

And also to the Bill Intituled *an Act to revive the Act for Supply of certain Defects found in an Act prescribing the Method for appointing of Sheriffs* without any Amendment.

An Ingrossed Bill for *vesting certain Intailed Lands in William Randolph an Infant which were purchased by his Father Thomas Randolph Deceas'd of John Sutton Farrar And for selling other Lands and Negros given in lieu thereof to the same Uses* was read the third time.

Resolved, That the Bill do pass.

Order'd, That the Committee for Courts of Justice do carry the said Bill to the Council and desire their Concurrence thereto

Then the House according to Order proceeded to the hearing Colonel *Spotswood* by his Council upon his Account of Expences in carrying on and concluding the Treaty with the Northern Indians at *Albany* in the Year 1722

And the Council being called in was heard and afterwards withdrew.

After a Debate And the Question put thereupon

Resolv'd, That Colonel *Spotswood* having when he was Governor of *Virginia* in the Year 1722 asked a Sum of Money of the House of Burgeesses to Enable the Government to make A Treaty with the Northern Indians in Aid of the Revenue of two Shillings per hoghead on Tobacco which he then Represented in too low a Condition to Support the Expence thereof And the House of Burgeesses having accordingly given One Thousand pounds. This House is no ways Engag'd to discharge the said Colonel *Spotswoods* Account of Expences beyond the said Sum.

Mr Attorney General Reporting from the Committee of Propositions and Grievances that the Committee had had under their Consideration a Petition of *James Hackley* for a Ferry to be Appointed across *Rappahanock* River from the said *Hackleys* house to the Land of *Thomas Corbin Esqr* at a place called *Mosses Neck* in *Caroline* County and agreed upon a Report which he read in his place and afterwards deliver'd it in at the Table where it was again Read.

Order'd, That the said Petition be Refer'd to the Consideration of the next Session of Assembly.

Then the House Adjourn'd till to morrow Morning Eleven a Clock.

Tuesday, July 7, 1730.

A MESSAGE from the Council by *Mr Robertson*

That they propose an Addition to be made at the end of the Address to his Majesty to which they desire the Concurrence of this House

That they have agreed to the Bill Intituled *an Act to oblige the Court of Caroline County to Levy on the Tythable persons of the said County A proportion of the Wages of the Burgeesses of Effex King and Queen and King William Counties due for the last Session of Assembly and also a proportion of the last public Levy* without any Amendment

And that they do insist on their Amendments to the Bill Intituled *an Act to prevent losses to Executors and Administrators by the Sale of Negros Goods and Chattells taken in Execution for amending the Law in Relation to Executors and Administrators for maintaining Actions of Account against Executors and Administrators and by one Jointenant and Tenant in Common against another Join tenant and Tenant in Common their Executors and Administrators for Impowering Fathers to dispose of the Custody and Tuition of their Children and for the Managing and Securing Orphans Estates*, And that they desire this House to pass the said Bill as it is Amended by them.

The

The Addition propos'd by the Council to the Address to his Majesty was Read and agreed to by the House.

The s'd Address is as follows

TO THE KINGS MOST EXCELLENT MAJESTY

The Humble Address of the Council and Burgeffes of Virginia

Most Gracious Sovereign

Wee Your Majesties Most Dutiful and Loyal Subjects the Council and Burgeffes of the Colony of *Virginia* now met in a General Assembly beg leave to express the Satisfaction and great joy of all your Subjects of This Dominion upon the safe and happy Arrival of His Royal Highness *Frederic* Prince of *Wales* in *Great Brittain* And at the same time to Congratulate your Majesty upon your Success in the Conclusion of a peace with *Spain* Wherein not only the Wisdom of your Majesties Councils Your Constancy and Steadiness in pursuing the true Interests of your People But the weakness of those whose Artifices and Intrigues have so long oppos'd and Obstructed this good work are sufficiently display'd to the World.

We are bound in Gratitude to acknowledge upon this Occasion the Advantages which Result to us from your Majesties Goodness and Resolution in bringing about this happy Event whereby we cannot doubt but our Trade will be Advanced Our Navigation secur'd and just Satisfaction obtain'd for the Depredations Committed upon us by the Subjects of *Spain* in the *West Indies*

And as it is our Duty to acknowledge the many Blessings which flow immediately from your Majesties just and prudent Administration at home So we must not Omit mentioning our Felicity under the Rule and Government of your Majesties Lieutenant Governor Whose Abilities and good Disposition in the Discharge of the great trust reposed in him under the Extensive Influence of Your Majesties great Care and tender Regard for all your people Do concur to support your Majesties Honour and to Secure to us every thing we can wish for or desire.

May the Almighty long preserve your Sacred Majesty your Royal Comfort Our most Gracious Queen and all your Illustrious Family on whom the present and future Prosperity of your people so greatly depend

Order'd, That the said Address be fairly Ingross'd and signed by the Speaker.

Mr *Escribde* Reported from the Committee appointed to proportion the Publick Levy that the Committee had settled the proportions accordingly and Enter'd the same in a Book which he deliver'd in at the Table.

He also presented to the House a Bill for *Raising a Publick Levy* and the same was Received.

Order'd, That the several Sums following be paid to Mr *John Randolph* Clerk of this House out of the Publick Money in the hands of the Treasurer for the several Copies of the Laws and Journals of this Session of Assembly to be made out by him by the Duty of his Office *Viz* For Thirty One Copies of the Laws of this Session to be sent to the several Counties of this Colony in regard to the length of the said Laws One hundred & Fifty Five pounds.

For four Copies of the said Laws to be deliver'd to the Governor Twenty pounds. For one Copy of the said Laws to be delivered to the Clerk of the Secretaries Office Five pounds.

For four Copies of the Journal of this Session to be Delivered to the Governor Ten pounds. For one Copy of the Journal deliver'd to the Speaker Fifty Shillings.

Order'd, That the Sum of Ten pounds be paid to Mr *William Robertson* Clerk of the Council for four Copies of the Councils Journal during this Session to be deliver'd to the Governor.

Order'd, That the Sum of Five pounds be paid to *Elizabeth Anderson* Als *Heidelberg* for cleaning the Chamber of the Burgeffes during this Session

Order'd, That the Committee of propositions and Grievances do carry the said Orders to the Council and desire their Concurrence thereto

The

The Houfe proceeded to take into Confideration the Meffage from the Council in Relation to their Amendments to the Bill *to prevent loffes to Executors and Administrators by the Sale of Negros Goods and Chattells taken in Execution for amending the Law in relation to Executors and Administrators for maintaining Actions of Accounts againft Executors and Administrators and by one Join tenant and Tenant in Common againft another Join tenant and Tenant in Common their Executors and Administrators for Impowering Fathers to difpofe of the Custody and Tuition of their Children and for the better managing and Securing Orphans Eftates*

After a Debate and the Queftion put thereupon

Refolv'd, That this Houfe doth Recede from their difagreement to the Amendments to the faid Bill infifted upon by the Council and doth now agree to the faid Amendments

Order'd, That the Committee for Courts of Juftice do carry the Bill to the Council and acquaint them that this Houfe doth Recede from their difagreements to the Amendments infifted upon by them and hath agreed to the faid Amendments.

Mr Attorney General prefented to the Houfe a Bill *prefcribing the Method of proving Accounts of perfons out of the Countrey* and pray'd that the fame might be Received and it was Received and read the firft time.

After a Debate the Queftion was put

That the Bill be Rejected

Refolv'd in the Affirmative

The Book of propofitions was Read and agreed unto by the Houfe.

Order'd, That the Committee for proportioning the publick Levy do carry the Book to the Council for their Concurrence

The Bill *for Raifing a publick Levy* was read the firft time & ordered to be read a Second time.

The Bill was read the Second time

Order'd, That the Bill be Engroffed.

A Motion being made for Contributing the Sum of One hundred and Fifty pounds *Sterling* towards Defraying the charge of Soliciting the Petition of this Houfe to the King in Council for Relieving the Subjects of the Northern Neck againft certain Grants of that Territory

The Queftion was put thereupon

Refolv'd in the Affirmative

Order'd, That the Sum of One hundred and Fifty pounds *Sterling* out of the Publick Money in the hands of the Treafurer be paid to *John Grimes Efqr* his Majefties Receiver General And that he do apply the fame towards Defraying the Expence of Soliciting the Petition of this Houfe to the King in Council in behalf of the Subjects of the Northern Neck and that he do lay an Account before the next General Affembly how the faid Sum fhall be difpos'd off

Order'd, That Mr *Tayloe* Mr *Conway* Mr *Meriwether* Mr *Burges* and Mr *Robert Bolling* do carry the faid Order to the Council for their Concurrence.

Order'd, That a Committee be appointed to Examine the Inroll'd Bills of the following perfons

Mr *Kemp*

Mr *Thacker*

Mr *Burges*

Mr *Robinfon*

Mr *Randolph* and

Mr *Boufh*

Then the Houfe Adjorn'd till to morrow Morning Eleven a Clock.

Wednesday, July 8, 1730.

A MESSAGE from the Council by Mr *Robertfon*

That they have made fome Amendments to the Bill Intituled *an Ad for the better Regulating the payment of the Burgefles Wages* to which they defire the Concurrence of this Houfe.

And

And that they have agreed to the Bill Intituled *an Act for Vesting certain Entailed Lands in William Randolph an Infant which were purchased by his Father Thomas Randolph Gent. Deceased of John Sutton Farrar and for selling other Lands and Negroes given in lieu thereof of greater Value to the same uses* without any Amendment.

An Ingrofs'd Bill *for Raising a publick Levy* was Read the third time.

Resolved, That the Bill do pass.

Order'd, That the Committee for proportioning the Publick Levy do carry the Bill to the Council and desire their Concurrence thereto

Resolved, That an Address be presented to the Governour to give him a General Account of the proceedings of this house during this Session To desire him to Transmit the Address of the Council and this House to the King by the first opportunity to be presented to his Majesty And to fix the Seal of the Colony to the Petition of this House to his Majesty in Council in behalf of the Subjects of the Northern Neck and to give Directions for presenting the said Petition to His Majesty and to return him thanks for his great zeal shew'd upon all occasions for the Prosperity of this Colony.

Order'd, That the Committee of Propositions and Grievances do forthwith prepare the said Address.

Mr *Speaker* acquainted the House That the Governors house was very Inconvenient for want of a cover'd way from the Offices into the House, And that the Governour had desired him to propose to the House to Contribute a small Sum of Money towards building the same

Resolved, *Nemine Contradicente*, That the Treasurer be empower'd to lay out a Sum not exceeding One hundred pounds in building a cover'd way from the Offices belonging to the Governors house into the said House.

Order'd, That the Committee of propositions and Grievances do carry the said Resolve to the Council for their Concurrence.

The House proceeded to take into Consideration the Amendments made by the Council to the Bill Intituled *an Act for the better Regulating the payment of the Burgeffes Wages*

And the said Amendments were severally twice read and one of them was agreed unto And the other Amendment was disagreed to by the House

Order'd, That Mr *Conway* Mr *Burgefs* Mr *Dangerfield* Mr *Strother* and Mr *Robinson* do carry the Bill to the Council and acquaint them that this House hath agreed to the first Amendment and disagreed to the other Amendment by them made to the said Bill

Resolved, That the Treasurer being oblig'd by the Bill *for amending the Staple of Tobacco and for preventing Frauds in his Majesties Customs* to provide a Considerable Number of Weights and Scales which must be sent for to England he be allow'd Twenty five p^{cs} Cent for the difference of Exchange between Sterling and Current Money.

Mr *Attorney General* Reported from the Committee to whom it was refer'd to prepare an Address to the Governor that they had drawn up an Address accordingly which they had directed him to Report to the House and he deliver'd the Address in At the Table and the same was twice read by the Clerk and agreed unto by the House as follows.

To the Honourable WILLIAM GOOCH Esq^r His Majesties Lieutenant Governor and Commander in Chief of the Colony and Dominion of VIRGINIA

S'r:

The House of Burgeffes humbly beg leave to lay before you at the Conclusion of this Session the Bills they have pass'd in Concurrence with the Council upon the Important Matters recommended in your Speech to this Assembly and several others which have been formed upon the Petitions and Grievances of those we Represent which we hope will Receive your Assent

We have Prepared an humble Address to the King in which the Council do Concurr with us, and do desire it may be Transmitted to be presented to his Majesty by the first Opportunity

The

The Burgeffes have been Induced upon the Complaints and Petitions of the people in the Northern Neck to Petition his Majesty in Council to relieve them from the Hardships they have for some time Endur'd from several Grants made by the late King *Charles* and King *James* the Second of that Territory and do desire your Honour will be pleas'd to cause the Seal of the Colony to be fixed to that Petition and give such Directions as you shall think fit for presenting it to his Majesty and to employ your Interest for obtaining the Relief therein desired.

And now *Sir* give us leave in the name of all the People of *Virginia* to return you our sincere thanks for the zeal you shew upon all occasions for the prosperity of this Colony and more especially for the pains you have taken in Concerting a Scheme for the amending our Staple Wherein we hope you will not only Merit the favour of his Majesty But that all the People of *Virginia* when they shall have Experience of the Bill we now offer upon that Subject will have a just Sense of the Obligations they are under to you who have zealously promoted so good a Work.

Resolv'd, That the said Address be presented by the whole House when they go up with the Bills

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Book of proportions and to the Bill for raising a public Levy without any Amendment

And that they have also agreed to the several Orders of this House made yesterday for paying several Sums to the Clerk of this House the Clerk of the Council and *Elizabeth Anderson* And to the Resolve of this day for empowering the Treasurer to lay out a Sum not Exceeding One hundred pounds in building a Covered way from the Offices belonging to the Governors House into the said House

And that they do insist on the Amendment to the Bill for the better Regulating the payment of the Burgeffes Wages to which this House hath disagreed and desire this House to pass the Bill with that Amendment.

Resolv'd, That this House doth Recede from their disagreement to the said Amendment and do now agree to the same

Order'd, That Mr *Conway* Mr *Tayloe* Mr *Robert Bolling* and Mr *Meriwether* do carry the Bill to the Council and acquaint them that the House hath agreed to the said Amendment

Order'd, That the Committee for porportioning the publick Levy do carry the Book of proportions and the Orders and Resolve aforesaid sent down from the Council to the Governour and desire his Assent thereto.

Then the House Adjourn'd till to morrow morning Eleven a Clock

Thursday, July 9, 1730.

MR. *Kemp* Reported that the persons appointed had according to Order Examined the Inroll'd Bills, and that the same were truly Inroll'd

Resolv'd, That as the Matter of the Resolve of this House of the 22d of *June* last concerning the payment of their absent Members is now provided for by a Bill which hath passed this House and the Council. The said Resolve and the Order thereupon be not put in Execution

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

The Governor Commands the Immediate attendance of this House in the Council Chamber and that you bring with you such Bills as are ready for his Assent.

Mr *Speaker* with the House went up accordingly to Attend the Governor. And he was pleas'd to Give his Assent to the Following Public and Private Bills *Viz't*.

An Act for Enforcing the Act Intituled An Act for the Effectual Suppression of Vice and Restraint and punishment of Blasphemous Wicked and dissolute persons and for preventing Incestuous Marriages & Copulations.

An Act for Amending the Staple of Tobacco and for preventing frauds in his Majesty's Customs

An Act to prevent the Malitious burning of Tobacco houses and other Houses places; for taking away Clergy from Certain offenders; And for punishing Accessories to Felonies and Receivers of Stolen Goods

An Act for ascertaining the Damage upon protested bills of Exchange; and for the better recovery of Debts due on promisory Notes; And for the Assignment of Bonds Obligations and Notes.

An Act for Continuing part of an Act for laying a Duty on Liquors with Some Alterations and Amendments

An Act for the better Regulating the payment of the Burgeesses Wages

An Act to prevent Loffes to Ex'ors & Adm'rs by the Sale of Negros Goods and Chattels taken in Execution; For amending the Law in Relation to Ex'ors and Adm'rs; For maintaining Actions of Account ag't Ex'ors and Adm'rs and by one Jointenant and Tenant in Common ag't another Jointenant and Tenant in Common their Ex'ors and Adm'rs; For Impowering Fathers to dispose of the Custody and Tuition of their Children; And for the better Managing and Securing Orphans Estates

An Act to Enable the Sale of Goods distrain'd for Rent and to Secure Such Goods to the persons distraining the Same; for the better Security of Rents and to prevent Frauds Committed by Tenants

An Act disabling any Sherif or other person to Sit as a Member of the House of Burgeesses who shall accept any office of Profit in this Colony after his Election; And Exempting the Members of the House of Burgeesses from being made Sherifs

An Act for Encouraging the Making of Linen Cloath.

An Act Restraining the taking of Excessive Ufury

An Act to exempt the Inhabitants of any County Wherein any Iron Works, are or shall be Erected; from clearing or repairing the Roads leading to and from the Same; for making Satisfaction to the Owners of any Lands lying Contiguous to such Roads for the Timber which shall be taken for making or Repairing Bridges in Such Roads and for giving further Encouragements to Adventurers in Iron Works

An Act to Revive the Act for Supply of Certain Defects found in an Act prescribing the Method for appointing Sherifs

An Act for Raifing a public Levy

An Act to Enable the Justices of Peace of the County of Eliza. City, And the Minister and Church wardens of the parish of Eliza. City in the Said County for the time being to take and hold Certain Lands given by Thomas Eaton to Charitable Uses and to let Leafes thereof.

An Act for Vesting certain Lands belonging to the Church of Westover parish in Trustees to be Sold, and for laying out the purchase money in other Lands for a Glebe for the Said Church and for Improving the Same.

An Act to Oblige the Court of Caroline County to Levy on the Tiethable persons of the Said County a Proportion of the Wages of the Burgeesses of Essex, King & Queen and King William Counties due for the last Session of Assembly and also a Proportion of the last public Levy.

An Act for Impowering Justices of Peace and Constables to Weigh hemp in order to Entitle the Maker to Receive the Bounty, And for paying to William Byrd Esq^r £5 : 4 : 0 due to him for the bounty upon hemp

An Act to prevent Swine running at Large within the Limits of the Town of Hampton

An Act for Erecting a New County on the heads of Stafford and King George Counties

An Act for making a New parish on the head of Overwharton parish in Stafford County

An

An Act for dividing the parish of St. George in the County of Spotsylvania

An Act to Exempt certain German Protestants in the County of Stafford from the payment of of parish Levies.

An Act for Vesting Certain Entail'd Lands in William Randolph an Infant w'ch were purchased by his father Thomas Randolph gent dec'd of John Sutton Farrar and for Settling other Lands & Negros given in lieu thereof of greater Value to the Same Uses

An Act to confirm the Title of Richard Randolph Gent. in and to certain Entail'd Lands purchased by him of William Ligon and for Settling other Lands and two Negro Slaves. of greater Value in lieu thereof to the Same Uses.

An Act to Enable Henry Cary to Sell certain Entail'd Lands in the County of Warwick and for Settling 306 Acres of Land with the Appurtenances in the County of Henrico and the Moiety of 3942 Acres of Land with the Appurtenances in the County of Goochland of greater Value to the Same Uses.

An Act for Vesting 420 Acres of Land with the Appurtenances in the County of Westmorland (being Entail'd) in George Turberville in fee Simple; And for Confirming a Settlement of 1000 Acres of Land with the appurtenances in the County of Stafford of Greater Value to the Same Uses.

An Act to Confirm the Sale of Certain Entail'd Lands in the County of King Will'm made by John Douglass to John Frazer in Fee simple; and for Settling other Lands in the County of Brunswick and two Negro Slaves of Greater Value to the Same Uses.

The Governor also assented to the Resolve for paying the Wages of the Burgeffes in Money.

And then was pleased to Prorogue the Affembly to *Thursday* the 12th day of *November* Next.

Ex'd by J. Randolph

THE
JOURNAL
of the
The House of BURGESSES.

AT A
GENERAL ASSEMBLY,

Begun and held at the *Capitol*, in the City of WILLIAMSBURG, the First Day of *February*, in the First Year of the Reign of our Sovereign Lord GEORGE II. by the Grace of God, of *Great-Britain, France and Ireland*, King, Defender of the Faith, &c. and in the Year of our Lord 1727: And from thence continued, by several Prorogations, to the Eighteenth Day of *May*, in the Fifth Year of the Reign of our said Sovereign Lord King GEORGE II. and in the Year of our Lord 1732: Being the Third Session of this present Assembly.



WILLIAMSBURG:
Printed by William Parks, M,DCC,XXXII.

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THE
JOURNAL
OF
The House of BURGESSES.

Thursday, May 18, 1732.

THREE Members, returned upon new Writs, having taken the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy, the Abjuration Oath and Test, and the Oath of a Burgefs, were admitted to their Places in the Houfe.

A Meffage was delivered from the Governor, by Mr *Robertfon*.

Mr Speaker, *The Governor commands the immediate Attendance of this Houfe in the Council Chamber.*

Mr *Speaker*, with the Houfe, went up accordingly; and being returned, he reported that the Houfe had attended the Governor in the Council Chamber; and he was pleased to make a Speech to the Council and this Houfe; which being long, he had obtained a Copy of it, which he read to the Houfe, and is as followeth:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the Houfe of Burgeffes,

THE Law for Improving Our Staple and Trade, which by your Wifdom and Refolution was framed the laft Seffion of Affembly, having met with Favour from His Moft Excellent Majefty, to the equal Satisfaction of its Friends, and Difappointment of its Enemies, by the fame vigorous Endeavours will effectually baffle all prefent Difcontent, and unite Us in Intereft to eftablifh and enlarge the Hopes we may juftly conceive will be the Refult of a due Execution of it.

THE Oppofition this Law at firft fet out with, has affiduoufly followed it to every Place through which it was to pafs to the Roial Prefence: Nor was the gracious Allowance it found there, fufficient to check the Competition; for it ftill purfues, and your Unanimity only can f Silence it.

AND, becaufe the moft plaufible Objection was the moft likely to prevail, the common Planters, whofe Intereft it will more efpecially ferve, have been reprefented as Men expofed by it to great Oppreffion, and thofe very Hardfhips it will relieve them from, have been difguifed to a quite different Purpofe, before thofe Judges whofe Ears are open to the Complaints of the Poor.

BUT fince, under the moft wholfome Laws, there's no anfwering for the univerfal good Conduct of particular Men, every Tranfaction under new Regulations fhould not be looked upon with a fevere Eye, nor be made Matter of Suspicion and Accufation.

HOWEVER, by judging favourably of the Actions of others, and confidering how far Ignorance and Miftake may tempt Men to rebel againft Intereft, we fhall be led to pity

pity the deluded Authors of Our late popular Tumults: and the rather, since we may hope the indulgence shewn them, will make them cautious for the future, and that every one will be thankful, who, by his own Default, shuts not himself out from Favour.

THE Way being now clear for your Consultations, if, out of your further Care and Concern for the Welfare of this Colony, you resolve upon such Amendments to this Law, as will remove the Inconveniences that may be urged against it, don't let the Difficulties which may occur, discourage you, nor the Faults which may appear in the Complainers themselves, displease you.

THE timely Assistance the Law this Year yields our Trade, gives us manifest Proof of the Usefulness of it: Nor can we now be so ignorant of it's Utility as not to know, that a greater Injury can't be done to this Country, than by neglecting to improve it.

SUFFER me, therefore, to put you in Mind, that the allowing Masters of Ships the Use of their own Men, in carrying Tobacco on Board from the Warehouses, will greatly facilitate their Dispatch, and prove beneficial to the Freighters and Merchants.

GIVING some Ease to Tenants who pay their Rent in inspected Tobacco, and also a reasonable Abatement for Tobacco Debts, contracted before the Commencement of this Act, and paid at the Warehouses, will be worthy your Consideration, as it tends to the Relief of the poor Debtors, and can be no Injustice to their Creditors.

NOR must I omit recommending to you the Lessening the Charge of the Execution of this Law; which I am persuaded, by your Prudence may be effected, without weakening the just Care which ought to be had Amending the Quality of our Staple.

Gentlemen of the House of Burgeffes,

SINCE your last Session, His Majesty has been pleased, on the Petition of the *British* Merchants, to Repeal the Act you then made, for continuing the Duty on Liquors: As the necessary Occasions of the Colony will, I doubt not, dispose you to Revive that Duty, you shall have the Perusal of a Letter I received from one of the Secretaries of the Board of Trade, which contains the Reason for that Repeal.

I HAVE also received from His Majesty, an additional Instruction, prohibiting the Laying any Duty on Slaves to be paid by the Importer; which shall be laid before you.

Gentlemen of the Council, and Gentlemen of the House of Burgeffes,

AS these are all the Particulars, at present necessary for me to commit to your Care and Management, I hope you will proceed to debate of them, and whatever else you shall judge expedient for the People of *Virginia*, with that Harmony and good Agreement, that may work their Establishment: And as they are the Foundation of your future Prosperity, which is all the Interest I have in them, it will be worth your While to consider, that if the Lords of Trade were so scrupulously tender of the Circumstances of the poor Planters, as, partly on their Accounts, to recommend this Law to a probationary Trial only, you may reasonably expect, that in any law made for the Advantage of our Commerce, their Lordships will be as watchful of the King's Interest, and be upon their Guard against any Step prejudicial to the Merchants trading hither. And therefore, since no Law will be of long Continuance, unless it's founded upon these Principles, you will, I trust, pursuing the Rules of Justice, esteem it the greatest Prudence to cherish and support this Law, wherein they are confirmed.

BY this Means, whilst we are endeavouring to put our Trade into a flourishing Condition, we shall demonstrate to the World, that we are solicitous to pay our Duty to the King, and equally concerned to provide for the Interest of others, as we are to recover and preserve our own.

IF we thus temper our Proceedings, and thereby prevent Complaints at Home, rendering our selves as beneficial to *Great-Britain* as Maternal Affection may demand of us, we shall become as happy a People as any upon Earth, and as such, fit Subjects for our most amiable Monarch.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Friday,

Friday, May 19, 1732.

A MOTION was made, for Reading the Governor's Speech; and it was read by the Clerk accordingly.

Resolved, That an humble Address be presented to the Governor, to return the sincere Thanks of this House, for his kind Speech to the Council and this House; and more especially for his great Care and Pains in supporting the Tobacco Law, against all the Opposition it has met with in *Great-Britain*; to express the Sense this House has of the Expediency of that Law at this Juncture, for the Relief of the wretched and deplorable State of the Tobacco Trade; to declare the Contempt and Abhorrence of this House, of the Tumults raised by a small Number of People, that have dared to threaten the Execution of this Law by open Violence: But at the same Time to acknowledge His Honour's Prudence and Lenity in Regard to those Offenders; to assure him of the good Disposition of this House to take all possible Measures for removing all just Occasions of Complaint against any Part of the Law; and to beg the Continuance of his Affection, Zeal, and Vigilance, for the good of the People of this Colony, so happily conducted by his wife and unexceptionable Administration.

Resolved, That a Committee be appointed to draw up an Address to the Governor upon the said Resolution. And it is referred to

Mr Lee,

Mr Attorney,

Mr Meriwether, and

Mr Eskridge,

Mr Robert Bolling.

Mr Speaker acquainted the House, That he had the Letter from one of the Secretaries of the Board of Trade, mentioned in the Governor's Speech.

Ordered, That the same do lie on the Table.

Resolved, That this House will take the Governor's Speech into Consideration Tomorrow.

Two Members return'd upon a new Writ, having taken the Oaths appointed by Act of Parliament, and the Test, and Oath of a Burgesses, were admitted to their Places in the House.

Ordered, That the Committee of Privileges and Elections be Revived, to consist of the following Persons:

Mr Eskridge,

Mr Grimes,

Mr Robinson, and

Mr Thacker,

Mr Randolph.

And they are to meet when they think fit; and to take into their Consideration all such Matters as shall or may come into Question, touching Returns, Elections, and Privileges; and to report their Proceedings, with their Opinions therein, to the House, from Time to Time: And the said Committee is to have Power to send for Witneses, Persons, and Records, for their Information.

Ordered, That the Committee of Propositions and Grievances be Reviv'd, to consist of the following Persons:

Mr Attorney-General,

Mr Meriwether,

Mr Eskridge,

Mr Conway,

Mr Presly,

Mr Blair,

Mr Daingerfield,

Mr Braxton,

Mr Francis Willis,

Mr Henry Willis,

Mr Nicholas, and

Mr Digges.

And they are to meet when they think fit, and to adjourn from Day to Day; and to take into their Consideration all Propositions and Grievances, which shall come legally certified to this Assembly; and to report their Proceedings, with their Opinions thereupon to the House, from Time to Time. And all such Propositions and Grievances are to be delivered

delivered to the Clerk of the Houfe, and by him to the faid Committee, of Courfe: And the faid Committee are to have Power to fend for Perfons, Papers, and Records, for their Information.

Resolved, That *Mr Kemp* be appointed Clerk to the faid Committee.

Ordered, That the Committee for Courts of Juftice be Revived, to confift of the following Perfons:

<i>Mr Robinson,</i>	<i>Mr Lee,</i>
<i>Mr Randolph,</i>	<i>Mr Grymes,</i>
<i>Mr Fleming,</i>	<i>Mr Boush,</i>
<i>Mr Martin,</i>	<i>Mr Ravenscroft,</i>
<i>Mr Walke,</i>	<i>Mr Mead,</i>
	<i>Mr Strother, and</i>

Mr Thacker.

And they are to meet and adjourn from Day to Day; and to take into their Confideration all Matters relating to Courts of Juftice, and their Proceedings; and to inspect the Journals of the laft Seffion, and to prepare and draw up a State of the Matter then depending and undetermined, and the Progrefs that was made therein; and to report the fame to the Houfe: And they are alfo to examine what Laws have expired fince the laft Seffion, and to inspect fuch Temporary Laws as will expire with the End of this Seffion; and report the fame to the Houfe, with their Opinions which of them are fit to be Revived or Continued: And the Committee are to have Power to fend for Perfons, Papers, and Records, for their Information.

Ordered, That *Mr Needler* be continued Clerk to the faid Committee.

Ordered, That the Committee for Public Claims be Revived, to confift of the following Perfons:

	<i>Mr Robert Bolling,</i>
<i>Mr Lawrence Smith,</i>	<i>Mr Burges,</i>
<i>Mr Samuel Harwood,</i>	<i>Mr William Harwood,</i>
<i>Mr Simmons,</i>	<i>Mr Gray,</i>
<i>Mr Ball,</i>	<i>Mr John Bolling, and</i>
<i>Mr Whitehead,</i>	<i>Mr Thornton.</i>

And they are to meet when they find it neceffary, and adjourn from Day to Day; and to take into their Confideration all Public Claims which fhall be prefented to the Houfe during this Seffion; and to report their Proceedings, with their Opinions therein, to the Houfe, when they have gone thro' the faid Claims: And all Perfons that have any Claims, are to deliver them to the Clerk, and he is to deliver the fame to the faid Committee, of Courfe: And they are to have Power to fend for Perfons, Papers, and Records, for their Information.

Ordered, That *Mr Cary* be continued Clerk to the faid Committee.

Ordered, That *Mr Fountain* be continued Chaplain to this Houfe; and that he do attend to read Prayers every Morning at Ten a Clock: And that *Mr Attorney* and *Mr Blair* do wait on the Governor and Council, and acquaint them therewith.

Ordered, That the feveral Perfons who attended as Door-keepers to this Houfe, during the laft Seffion of Affembly, be continued in their Offices.

Upon a Motion, the Houfe was called over.

And the Act made at the laft Seffion, entituled, *An Act to difable any Sheriff, or other Person, to fit as a Member of the Houfe of Burgeffes, who fhall accept any Office of Profit in this Colony, after his Election; and exempting the Members of the Houfe of Burgeffes, from being made Sheriffs;* was read.

And the Houfe was acquainted, that feveral of the abfent Members had ferved as Sherifs for feveral Counties, fince the laft Seffion of Affembly; but were now difcharged from their Offices; and waited to know the Pleafure of the Houfe, whether they might take their Places:

And after a Debate, the Queftion was put,

That

That any Member of this Houfe, having fince the laft Seffion ferved as a Sheriff, but before the Beginning of this Seffion difcharged from his Office, be by the faid A^{ct}, difabled to fit and vote in this Houfe?

Resolved, In the Affirmative.

Ordered, That a Meffage be fent to the Governor, to defire him to order a new Writ to iffue, for Ele^{ct}ing a Burgefs to ferve in the prefent General Affembly, for the County of *Elizabeth-City*, in the room of M^r *Robert Armistead*, who, fince the laft Seffion, hath ferved as Sheriff for the County of *York*.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Effex*, in the room of M^r *Salvator Muscoe*, who hath, fince the laft Seffion, ferved as Sheriff for the faid County.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *New-Kent*, in the room of M^r *Richard Richardson*, who, fince the laft Seffion, hath ferved as Sheriff for the faid County.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Warwick*, in the room of M^r *William Rofcow*, who, fince the laft Seffion, hath ferved as Sheriff for the faid County.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Middlefex*, in the room of M^r *Matthew Kemp*, who, fince the laft Seffion, hath accepted the Offices of Clerk of the General Court, and Secretary's Office, and Clerk of the County of *James-City*.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Accomac*, in the room of M^r *William Andrews*, who, fince the laft Seffion, hath accepted the office of an In^{sp}ector.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Northampton*, in the room of M^r *Peter Bodoïn*, who, fince the laft Seffion, hath accepted the Office of an In^{sp}ector.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in this prefent General Affembly, for the County of *Hanover*, in the room of M^r *John Syme*, deceafed.

Alfo a new Writ for Ele^{ct}ing a Burgefs to ferve in the prefent General Affembly, for the County of *James-City*, in the room of M^r *Joseph Egglestone*, deceafed.

Alfo a new Writ for Ele^{ct}ing Two Burgeffes to ferve in this prefent General Affembly, for the County of the *Ile of Wight*, in the room of M^r *William Bridger*, deceafed, and of M^r *Joseph Godwin*, who, fince the laft Seffion, hath accepted the Office of an In^{sp}ector.

Ordered, That M^r *Meriwether*, M^r *Daingerfield*, and M^r *Mead*, do carry the faid Meffage.

Ordered, That the Houfe be adjourn'd 'til To-morrow Morning Eleven a Clock.

Saturday, May 20, 1732.

M^R. *Lee* reported, That the Perfons appointed, had (according to Order) prepared an Addrefs to the Governor, upon the Refolution of the Houfe Yefterday; and he read the fame in his Place, and afterwards delivered it in at the Table, where it was again twice read, and agreed to by the Houfe, as follows, *viz.*

To the Honourable William Gooch, Efq; His Majesty's Lieutenant-Governor and Commander in Chief, of the Colony and Dominion of Virginia.

SIR,

W^E His Majesty's moft Loial and Dutiful Subjects, the Reprefentatives of the People of this Colony, now met in Affembly, do fincerely return You our Thanks, for Your kind Speech to the Council and this Houfe; but more efpecially for the great Care and Pains You have taken, in Supporting the A^{ct} paffed at our laft Seffion, for *Improving the Staple of Tobacco*, againft all the Oppofition it has met with in *Great Britain*: Wherein we are furprifed to find any There feeming to be affected

affected with a greater Tenderness for the poor Planters, than the whole Legislature of this Colony, and accusing Our Body of a Design to oppress them; when no Hardship or Inconvenience can possibly be laid upon them, which will not be felt by Us, in a greater Degree: But it is Matter of great Consolation to us, that this Imputation has made no Impression upon His Sacred Majesty, whose Wisdom and Justice is very conspicuous, in leaving us to be justified by Experience: And we persuade ourselves, that, as the wretched and deplorable State of the Tobacco Trade, made it necessary for us to put it under some Regulation, no better Expedients can be proposed, than Destroying that which is not fit to be sold in any Market in the World, and Preventing by a careful Inspection, the many Frauds that have manifestly contributed to reduce that Commodity to so low a Price, as cannot defray the Expence of Making it: And we flatter ourselves, that all reasonable Men will be convinced, from the short Experience they have had of the Honesty and Impartiality of Those who are intrusted with the Execution of this Law, that these Ends will in great Measure be attain'd, and the Trade restored to such a Condition, as may at least enable us to live by it.

THE late Tumults, which have been raised by an inconsiderable Number of ignorant, deluded People, who have dared to threaten the Government with open Violence, is to us a Subject of Contempt, as well as Abhorrence, and cannot turn us from our just Purposes, nor discourage us to hope for the Continuance of His Majesty's good Opinion of our Proceedings. Yet we cannot but acknowledge and approve Your Prudence and Lenity, after suppressing those Disorders by singular Diligence and Management, in suffering the Offenders to atone for their Boldness by a peaceable and submissive Deportment, without undergoing any other Punishment than the Shame and Reproach of their own Misdemeanors.

AND we do assure You, That we are so well disposed to give Satisfaction to every Body, in this important Business, that nothing shall be wanting, on our Parts, to amend whatever may appear the least Inconvenience, either to the People Here, or the Merchants in *Great-Britain*, and to remove all just Occasions of Complaint against any Part of the Law, which we desire so sincerely to cherish and support.

AND, feeling we have hitherto succeeded very well in all our Consultations, by Your Assistance, and the Influence and Credit You have in *England*, we beg the Continuance of Your Affection, Zeal and Vigilance for the Good of this People, so happily conducted by Your wife and unexceptionable Administration.

Ordered, That the said Address be fairly transcribed, and presented by the whole House: And that the Committee who prepared the same, do wait on the Governor, to know when he will be attended with it.

And they immediately withdrew; and being returned,

Mr *Lee* reported, That the Governor was pleased to say, He would receive the Address of this House, this Day at Two a Clock, in the Council-Chamber.

The House (according to Order) proceeded to take into their Consideration, the Governor's Speech; and the same was read.

Resolved, That a Bill be prepared, for Amending the Act passed the last Session, intituled, *An Act for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*.

Ordered, That the Committee for Propositions and Grievances, do prepare and bring in the said Bill.

Ordered, That the Governor's Speech be referr'd to the said Committee.

Then the Letter from Mr *Wheelock*, one of the Secretaries of the Board of Trade, mentioned in the Governor's Speech, was read.

Resolved, That a Bill be prepared, for Laying a Duty on Liquors imported.

Ordered, That the Committee for Courts of Justice, do prepare and bring in the said Bill.

Ordered, That the said Mr *Wheelock*'s Letter be referr'd to the said Committee.

Ordered,

Ordered, That the Further Confideration of the Governor's Speech, be adjourn'd 'til Monday next.

M^r Speaker reported, That the Houfe had attended the Governor, that he prefented their Addrefs; and that the Governor was pleafed to make the following Anfwer:

M^r Speaker, and Gentlemen of the Houfe of Burgeffes,

THIS Addrefs, for which I heartily thank you, is very agreeable to the Sentiments I have always had of you; and at the fame Time, that you encourage me to employ my good Offices and Credit in Great-Britain, for the Service of the People under my Government, I am perfwaded your Conftancy and Unanimity, will fatisfy all thofe who defire to have the fame Abufes eftablifhed, which have heretofore ruined your Trade, that their Hopes are in vain.

THEREFORE, go on with the fame laudable Refolution, to promote Honefty and fair Dealing, in this very important Bufinefs of your Staple; and in Time, I don't doubt, you'll obtain thofe Praifes you fo well deferve, even from them who now differ from you in Opinion.

Ordered, That *M^r William Parks* have Leave to print the Votes and Proceedings of this Houfe.

Ordered, That *M^r Hollier* have Leave to be abfent from the Service of the Houfe, 'til Wednesday next.

Ordered, That *M^r Robinfon* have Leave to be abfent 'til Tuesday next, from the Service of the Houfe.

A Motion was made, for the immediate bringing in a Bill, to indemnify the Mafters of Ships from certain Penalties inflicted upon them by the *Act for Amending the Staple of Tobacco*; and for preventing Frauds in His Majesty's Customs; for Enabling them, with their Sailors, to carry Tobacco from the Warehoufes on Board their Ships, for the more eafy and fpeedy Loading the fame:

And after a Debate, the Queftion was put,

That the faid Bill be forthwith prepared?

Resolved, in the Affirmative.

Ordered, That *M^r Robert Bolling*, *M^r Meriwether*, *M^r Lee*, *M^r Francis Willis*, and *M^r Blair*, do prepare and bring in the faid Bill.

Ordered, That the Houfe be adjourn'd 'til Monday Morning Eleven a Clock.

Monday, May 22, 1732.

O*rdere*d, That *M^r Tayloe* be added to the Committee of Propofitions and Grievances.

A Petition of *John Holt*, was prefented to the Houfe, and read; praying that the Bridge over *Hog-Ifland* Creek, in the County of *Surry*, may be maintained at the Public Charge.

Resolved, That the Petition be rejected.

M^r Robert Bolling (according to Order) prefented to the Houfe a Bill, to enable the Mafters of Ships to employ their own Sloops, Boats, and Sailors, in Loading their Ships; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

And the fame was read a fecond Time: And a Motion being made for an Amendment, to enable the Mafters of Ships to carry Tobacco to the Public Warehoufes as well as from thence; after a Debate, the Queftion was put, That the faid Amendment be agreed to?

It paffed in Negative.

Then another Amendment was porpos'd, and agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingroffed.

Ordered,

Ordered, That the Title of the Bill be, *An Act to enable the Masters of Ships to employ their own Ships, Boats, and Sailors, in carrying Tobacco from the Public Warehouses on board their Ships.*

Mr Attorney-General reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration several Propositions and Grievances from several Counties, and drawn up a State of the same, with their Opinions upon some of them; and he delivered the Report in at the Table, where it was twice read: And thereupon,

Resolved, That the Propositions from the Counties of *Lancaster, Prince William, King George, and Westmorland*, for the Repeal of the Act made at the last Session of Assembly, for *Amending the Staple of Tobacco; and for Preventing Frauds in His Majesty's Customs*, be rejected.

Resolved, That the Propositions from the Counties of *Lancaster, Prince William, and Westmorland*, for a Law to be made, enjoining a Stint of the Number of Tobacco Plants to be tended, instead of the said Act, be rejected.

Resolved, That the Proposition from the County of *Westmorland*, That the Tobacco Inspectors be Elected by the Counties wherein they officiate, be rejected.

Ordered, That the several Propositions from the Counties of *Westmorland* and *York*, for making several Alterations and Amendments in the said Act, be refer'd to the Committee of Propositions and Grievances, to be considered when they shall prepare the Bill to them refer'd for Amending the same.

The House (according to Order) proceeded to take into their further Consideration the Governor's Speech.

And His Majesty's Additional Instruction, mentioned in the Speech, was read.

Then a Motion was made, for bringing in a Bill, to lay a Duty upon Slaves imported, to be paid by such Persons as shall purchase the same here.

Resolved, That the House will take the said Motion into Consideration, on *Thursday* next.

A Bill, intituled, *An Act to enable the Masters of Ships to employ their Sloops, Boats, and Sailors, in carrying Tobacco from the Public Warehouses on board their Ships*, was read the third Time: And after a Debate, the Question was put, That the Bill do pass?

Resolved, in the Affirmative.

Ordered, That the Committee who prepared the Bill, do carry the same to the Council; and desire their Concurrence thereto.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, May 23, 1732.

A PETITION of *Simon Miller* was presented to the House, and read; praying that an Act may be passed, to dock the Entail of Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Hanover*, in the County of *King George*, devised to him and the Heirs of his Body, by his Father *Simon Miller*, deceased; and for settling Two Hundred Acres of Land, with the Appurtenances, in the same Parish, and Three Negros, of greater Value, to the same Uses.

Ordered, That Leave be given, to bring in a Bill according to the Prayer of the said Petition: And that Mr *Burges*, Mr *Tayloe*, Mr *Strother*, Mr *Nicholas Smith*, and Mr *Grymes*, do prepare and bring in the same.

A Petition of *William Wilson Homes* and *Mary* his Wife, and *Richard Barnes*, was presented to the House, and read; praying that an Act may pass, for Vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Sittenburn*, in the County of *Richmond*, whereof the said *William* and *Mary* are seised in Fee-Tail, in the Right of the said *Mary*, in the said *Richard* in Fee-Simple; and for settling Two Hundred

dred and Fifty Acres of Land, with the Appurtenances, in the County of *Spotsylvania*, and Two Negro Slaves, of greater Value, whereof the said *Richard Barnes* is seised in Fee Simple, upon the said *William* and *Mary*, with the same Limitations and Remainders as the said Entailed Lands are settled.

Ordered, That Leave be given, to bring in a Bill according to the Prayer of the said Petition: And that *Mr Tayloe*, *Mr Grymes*, *Mr Henry Willis*, *Mr Augustine Smith*, and *Mr Strother*, do prepare and bring in the same.

Mr Attorney-General reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, several other Propositions and Grievances from several Counties; and had drawn up a State of the same, with their Opinions there upon; and he delivered the report in at the Table, where the same was twice read: And thereupon,

Resolved, That the Propositions from the Counties of *Accomack*, *Northampton*, *Middlesex*, *Stafford*, *Richmond*, and *Surry*, for Repealing the Act made at the last Session, for *Amending the Staple of Tobacco*; and *preventing Frauds in His Majesty's Customs*, be rejected.

Resolved, That the Proposition from the County of *Middlesex*, for Repealing the Act directing the Manner of Levying Executions, be rejected.

Resolved, That the Proposition from the County of *Surry*, for Repealing the Act making Negroes Real Estate; and the Act for Explaining and Amending thereof, be rejected.

Resolved, That the Propositions from the Counties of *Westmorland*, and *Richmond*, for a Law to be passed, to prevent the Meeting and Conspiring of Convicts imported into this Colony; to encourage Masters to discover the Crimes by them committed, and to bring them to Punishment; and for Trying Convicts for Capital and other Crimes, in the Counties where the same shall be committed, be rejected.

Ordered, That the Propositions from the Counties of *Surry* and *Richmond*, for Amending the Act made at the last Session of Assembly, for *Amending the Staple of Tobacco*; and for *preventing Frauds in His Majesty's Customs*, be referr'd to the Committee of Propositions and Grievances, to be consider'd when they shall have under their Consideration the Bill order'd to be prepar'd for Amending the said Act.

Ordered, That the Committee of Propositions and Grievances, do prepare and bring in a Bill, to encourage the Killing of Crows and Squirrels.

Mr Robert Bolling, from the Committee for Public Claims, informed the House, That the Committee had had under their Consideration, a Claim of *Moss Armistead*, from the County of *Elizabeth-City*, for a Negro Man, valued at Forty Pounds, who was pursued by a Party of the Militia order'd to patroll, and was drown'd in flying from them. Also a Claim from the County of *King George*, for Tobacco which was lost in one of the Public Warehouses lately burnt in that County; and that the Committee desired the Direction of the House therein: And thereupon,

Ordered, That it be an Instruction to the said Committee, to allow the Claim of the said *Moss Armistead*.

Ordered, That it be an Instruction to the said Committee, to allow the said Claim, for Tobacco burnt in one of the Public Warehouses, in the Public Levy.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday, May 24, 1732.

A PETITION of *William Brown*, of the County of *Surrey*, Gent. was presented to the House, and read; setting forth, That he hath for many Years carried on a Trade of Cutting Tobacco, except during the Time that the Importation of Itemm'd Tobacco was prohibited; and that upon the Execution of the Act, for *Amending the Staple of Tobacco*, the Inspectors conceive themselves not authorized to pass such Tobacco, how good or Merchantable soever it may be, to his very great Loss and Prejudice; and praying Relief therein.

Ordered,

Ordered, That the said Petition be referr'd to the Committee of Propositions and Grievances; and that they do provide for the Petitioner's Cafe, in the Bill under their Consideration, for Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs.

A Petition of the Vestry of the Parish of St. Mark, in the County of *Spotsylvania*, was presented to the House, and read; setting forth, That between the Time of Passing the Act, for dividing the Parish of St. George, and the First Day of *January*, 1730, the Vestry of that Parish did levy upon the Parishioners of St. Mark, Eleven Thousand Eight Hundred and Ninety Eight Pounds of Tobacco, for Building a Glebe-House, and refuse to repay the same to the said Parish; and praying that a Bill may be passed, to oblige St. George's Parish, to refund the said Tobacco to the Parish of St. Mark.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that the Members for the County of *Spotsylvania*, do prepare and bring in the same.

A Petition of *George Weedon*, was presented to the House, and read; praying that Leave may be given, to bring in a Bill, to dock the Entail of Three Hundred Acres of Land, with the Appurtenances, whereof he stands seised, in the Parish of *Washington*, in the County of *Westmoreland*, and to vest the same in *John Washington*, of the County of *Glocester*, Gent. in Fee-Simple; and to settle Two Hundred Acres of Land, with the Appurtenances, in the same Parish, of greater Value, and more convenient to the Petitioner, whereof the said *John Washington*, is seised in Fee-Simple, upon the Petitioner, to the Uses mentioned in the last Will and Testament of *George Weedon*, the Petitioner's Grandfather, whereby the said Three Hundred Acres of Land were Entailed; pursuant to an Agreement made between the Petitioner and the said *John Washington*.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition: And that Mr *Eskridge*, Mr *Lee*, Mr *Thornton*, Mr *Tayloe*, and Mr *Grymes*, do prepare and bring in the same.

Mr *Attorney-General* reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, several other Propositions and Grievances from several Counties; and agreed upon a Report, which he delivered in at the Table, where the same was twice read: And thereupon,

Ordered, That a Bill be brought in, to restrain the Number of breeding Mares going at Large; and that the Committee of Propositions and Grievances do prepare and bring in the same.

Ordered, That a Bill be brought in, for Dividing the County of *Richmond* into Two entire Parishes, to be divided by *Totuskey-Creek*: And that the Members for the said County, do prepare and bring in the said Bill.

Ordered, That a Bill be brought in, For appointing the Day for holding the County Court of *Richmond*, upon the first *Monday* in every Month; and that the Members for the said County, do prepare and bring in the same.

Ordered, That it be an Instruction to the said Committee, to add a Clause to the said Bill, for Altering the Days for holding *Westmorland* County Court, from the last *Wednesday*, to the last *Tuesday*, in every Month.

Resolved, That the Proposition from the County of *Spotsylvania*, for Regulating the Practice of Phific, and to prevent Abuses therein, be rejected.

Resolved, That the Proposition from the County of *Prince William*, for passing a Law, to prevent the unlawful Killing of Cattle, Hogs, and Sheep, be rejected.

Ordered, That the Propositions from the Counties of *Prince-William* and *Spotsylvania*, for Dividing the said Counties, be referr'd to the Consideration of the next Session of Assembly.

Ordered, That a Bill be brought in, for Removing the Court-House of the County of *Spotsylvania*, from *Germanna*: And that the Members for that County, do prepare and bring in the same.

Ordered,

Ordered, That it be an Instruction to the said Committee, to add a Clause to the Bill, in Case the County shall be divided, to oblige the Lower County to reimburse the Upper County their Proportion of the Charge of Building the New Court-House and Prison.

Ordered, That a Bill be brought in, for Dividing the Parish of *Hamilton*, in the County of *Prince William*, into Two Parishes; and the Parish of *Hanover*, in the County of *King George*, into Two Parishes: And that the Members for the said Counties, do prepare and bring in the said Bill.

A Bill for Laying a Duty upon Liquors, was presented to the House, and read.

Ordered, That the said Bill be read a second Time on *Friday* next.

The House was informed by one of the Members, That the Petition of this House, at the last Session, to the King, in Relation to the *Northern-Neck* Grant, was by some Accident lost, and had not been presented to His Majesty: And thereupon,

Ordered, That the said Petition, with a Duplicate thereof, be ingrossed; and that a Message be sent to the Governor, to desire him to Order the Seal of the Colony to be fixed thereto; to transmit the same, and to procure one of them to be presented to His Majesty.

Ordered, That Mr *Lee*, and all the Members for the *Northern-Neck*, do wait on the Governor with the said Message.

Resolved, That this House stand engaged, to Contribute the Sum of One Hundred and Fifty Pounds *Sterling*, towards Defraying the Expence of Soliciting the said Petition, pursuant to a Resolution of the last Session.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Thursday, May 25, 1732.

A MESSAGE from the Council, by Mr *Robertson*, That they have made an Amendment to the Bill, intituled, An Act to enable the Masters of Ships to employ their own Sloops, Boats, and Sailors, in carrying Tobacco from the Public Warehouses, on board their Ships: To which they desire the Concurrence of this House.

And the Amendment was read; and after a Debate, and the Question put thereupon, was agreed to by the House, with an Amendment.

Ordered, That Mr *Conway*, Mr *Burges*, Mr *Lee*, Mr *Taylor*, and Mr *Stith*, do carry the Bill, with the Amendment, to the Council, and acquaint them, that this House hath agreed to the Amendment by them made to the said Bill, with an Amendment; and desire their Concurrence thereto.

The House proceeded (according to Order) to take into Consideration the Motion made last *Monday*, for bringing in a Bill, to lay a Duty upon Slaves imported, to be paid by the Purchasers; And thereupon,

Ordered, That a Bill be brought in, for Laying a Duty of Twenty Shillings *per* Poll upon Slaves imported, to be paid by the Buyers: And that the Committee for Courts of Justice, do prepare and bring in the said Bill.

Ordered, That His Majesty's additional Instruction, mentioned in the Governor's Speech, be referred to the said Committee.

The House being informed, That several Inspectors had complain'd of the Want of Room, and other Conveniences in the Public Warehouses, appointed for the Inspection of Tobacco.

Ordered, That it be an Instruction, to the Committee appointed to prepare and bring in a Bill, to amend the Act, for Amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs, to consider and provide for the Matter of the said Complaint.

A Message from the Council, by Mr *Robertson*:

That they cannot agree to the Amendment proposed by this House, to the Amendment made by them to the Bill, intituled, An Act to enable the Masters of Ships, to employ their
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own Sloops, Boats, and Sailors, in carrying Tobacco from the Public Warehouses on board their Ships; *and desire the Concurrence of this House to their Amendment, without any Amendment.*

Resolved, That this House doth recede from the Amendment by them proposed to the Amendment made by the Council, to the said Bill.

Ordered, That a Message be sent to the Council, to acquaint them, That this House hath agreed to the Amendment by them made to the said Bill, without any Amendment: And that the Committee who prepared the said Bill, do go up with the said Message.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Friday, May 26, 1732.

A MESSAGE from the Governor, was delivered by Mr Robertson:

Mr Speaker, *The Governor commands the immediate Attendance of this House in the Council-Chamber; and that you bring with you such Bills as are ready for His Assent.*

And Mr Speaker, with the House, went up accordingly: And being return'd, he reported, That the House had attended the Governor; and that He was pleased to give his Assent to the Bill, intituled, *An Act to enable the Masters of Ships to employ their own Sloops, Boats, and Sailors, in Carrying Tobacco from the Public Warehouses, on Board their Ships.*

A Petition of Francis Gouldman, was presented to the House, and read; setting forth, That he is seized in Fee-Tail of Six Hundred Acres of Land, with the Appurtenances, in the Parish of St. Anne, in the County of Essex, adjoining to certain Lands of John Tayloe, Esq; that the said John Tayloe is willing to give him other Lands and Negros, of far greater Value, for these Lands; that the same will be of very great Advantage to the Petitioner, who holds other large Tracts of entail'd Lands, and being in low Circumstances, has no Means to improve them, and a great Family to maintain; and praying That an Act may pass to cut off the said Entail, and to settle the other Lands and Negros aforesaid, to the same Uses.

Ordered, That Leave be given, to bring in a Bill according to the Prayer of the Petition: And that Mr Daingerfield, Mr Hedgman, Mr McCarty, Mr Braxton, and Mr Nicholas Smith, do prepare and bring in the same.

A Motion was made, for Calling over the House, and it was called over accordingly; and the absent Members were excused.

A Bill for Laying a Duty upon Liquors, was read the second Time.

A Motion was made for an Amendment to the Bill, to make the Duty Three Pence per Gallon, instead of Two Pence: And after a Debate,

The Question was put, That the said Amendment be made?

Resolved, in the Affirmative.

And other Amendments were proposed.

Ordered, That the Bill be committed to the Committee who prepared it.

Then a Motion was made, for Laying a further Duty, of Two Pence per Gallon, upon Rum made in New-England, which shall be imported into this Colony: And after a Debate,

The Question was put, That a Bill be brought in for that Purpose?

It passed in the Negative.

Ordered, That Leave be given to bring in a Bill, to prevent such as hold any Slaves for Term of their own Lives, or the Life of any other Person, from misusing them: And that Mr Tayloe, Mr Meriwether, Mr Attorney-General, and Mr Conway, do prepare and bring in the said Bill.

Ordered, That Mr Simmons, have Leave to be absent from the Service of the House 'til Tuesday next.

Ordered, That the House be adjourn'd 'till To-morrow Morning Eleven a Clock.

Saturday,

Saturday, May 27, 1732.

MR. Lee, from the Committee for Courts of Justice reported, That the Committee had (according to Order) inspected the Journals of the last Session, and examined the Tempory Laws, and agreed upon a Report; which he read in his Place, and afterwards delivered it in at the Table, where the same was again twice read: And after a Debate,

The Question was put, That a Bill be prepared, for Establisshing Quarterly Courts?

It passed in the Negative.

Ordered, That a Bill be prepared, for Settling a Ferry, at *James Hackley's* Plantation, in the County of *King George*, over *Rappahanock* River, to *Mofs's-Neck*, in the County of *Caroline*; and a Ferry from *Bermuda-Hundred*, in the County of *Henrico*, to the *City-Point*, in the County of *Prince-George*; and from the *City-Point*, to *Shirley-Hundred*, in the County of *Charles-City*; and a Ferry from the Land of *Stephen Woodson*, in the County of *Goochland*, over *James-River*, to the *Manakin-Town*.

Ordered, That the Committee of Propositions and Grievances, do prepare and bring in the said Bill.

Ordered, That a Bill be prepared, for Continuing the Act to prevent Delays in Courts of Justice; for expediting and better settling Proceedings in the General-Court; and for the more speedy and easy Recovery of small Debts; and for Repealing an Act, for obliging Attorneys prosecuting Suits in Behalf of Persons out of the Country, to give Security for paying all Costs and Damages; and declaring in what Manner Security shall thereafter be given.

Ordered, That the Committee for Courts of Justice, do prepare and bring in the said Bill.

Ordered, That it be an Instruction to the said Committee, to add one Clause, or more, to the said Bill, for Impowering any Judge or Justice of the General-Court, when the said Court is not Sitting, to take Bail; and to oblige the Defendants, in any Action, wherein a Plea in Abatement shall be Pleaded and Over-ruled, to pay the Plaintiffs Cost, to the Time of Over-ruling such Plea.

Ordered, That the Report of the said Committee, be further considered on *Wednesday* next.

Mr Lee reported, from the Committee, to whom the Bill for laying a Duty on Liquors, was committed, several Amendments made to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table.

And the Amendments were twice severally read, and one of them was disagreed to, and the rest were agreed to, with an Amendment to one of them by the House.

And another Amendment was made by the House, to the Bill.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered, That the House be adjourn'd 'til *Monday Morning Eleven a Clock*.

Monday, May 29, 1732.

APETITION of *Thomas Bray*, and *John Randolph*, of the City of *Williamsburg*, Esqrs. was presented to the House, and read; setting forth, That certain Differences have arisen between them, touching their respective Rights to certain Lands, Tenements, and Hereditaments, with the Appurtenances, whereof *David Bray* the Elder, and *David Bray* the Younger, late of the County of *James City*, Esqrs. deceased, severally died seised; the said *Thomas* claiming under the last Will of *David Bray* the Elder, and the said *John* under the last Will of *David Bray* the Younger: That for settling and determining those Differences, they have come to an Agreement; and praying Leave to bring in a Bill, to confirm and establish that Agreement.

Ordered,

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Lee*, Mr *Robinson*, and Mr *Robert Bolling*, do prepare and bring in the same.

A Bill, intituled, *An Act for laying a Duty upon Liquors*, was read the third Time. And an Amendment was made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That the Committee who prepared the Bill, do carry the same to the Council; and desire their Concurrence thereto.

Ordered, That Mr *Basset* be added to the Committee of Propositions and Grievances.

Mr *Burges* (according to Order) presented to the House a Bill, for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Hanover*, in the County of *King George*, whereof *Simon Miller* is seised in Fee-Tail, in *Thomas Turner*, in Fee-Simple; and for settling other Lands and Negros of greater Value, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Taylor* (according to Order) presented to the House a Bill, for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Sittenburn*, in the County of *Richmond*, whereof *William Wilson Homes*, and *Mary* his Wife, in Right of the said *Mary*, are seised in Fee-Tail, in *Richard Barnes*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Eskridge* (according to Order) presented a Bill, for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of *Washington*, in the County of *Westmorland*, whereof *George Weedon* is seised in Fee-Tail, in *John Washington*, Gent. in Fee-Simple; and for settling other Lands, of greater Value, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Attorney-General* reported, from the Committee of Propositions and Grievances, that the Committee had had under their Consideration several other Propositions and Grievances, from several Counties, and drawn up a State of the same, with their Opinions thereupon; and he delivered the Report in at the Table.

Resolved, That the Propositions from the Counties of *Northumberland*, and *Hanover*, to repeal the *Act for Amending the Staple of Tobacco*; and for Restraining the Planting of Tobacco, be Rejected.

Resolved, That the Proposition from the County of *Hanover*, for settling a Price upon Corn, Wheat, Pease, Beans, Pork, Beef, Hemp, Flax, and Cotton, and for the Paiment of Debts, in those Commodities; for Repealing the *Act directing the Manner of levying Executions*; and for Altering the Method of paying for Negros executed for Capital Offences, be Rejected.

Resolved, That the Proposition from the County of *Westmorland*, to allow Tenants a Liberty of paying Tobacco-Rents, in Indian-Corn and Wheat, be Rejected.

Ordered, That the Proposition from the County of *Stafford*, That the Inspectors be not obliged to prise Tobacco, and pay the same in Hogheads of Eight Hundred Nett; and may be allowed Time for Paiment of their Notes; be referred to the Consideration of the Committee appointed to prepare a Bill to amend the *Act for Amending the Staple of Tobacco*.

Resolved, That the Proposition from the County of *Hanover*, That Inspectors may be chosen by the Freeholders, or nominated by the County Courts, be Rejected.

Resolved, That the Tobacco Inspectors, ought not to convert the Tobacco by them drawn out of the Hogheads, to their own Use.

Ordered, That the Proposition from the said County, for Lessening the Salaries of the Inspectors, be refer'd to the Consideration of the Committee appointed to prepare the said Bill, to amend the *Act for Amending the Staple of Tobacco*.

Ordered,

Ordered, That a Bill be brought in, to prevent frivolous and vexatious Suits; and to regulate Attorneys practicing at the County Courts; and that the Committee for Courts of Justice, do prepare and bring in the same.

Ordered, That the said Report of the Committee of Propositions and Grievances, be referr'd to the said Committee.

Ordered, That it be an Infruction to the Committee to whom it is referr'd to prepare and bring in a Bill, for Settling several Ferries over *Rappahanock*, and *James Rivers*, to add one or more Clauses to the Bill, for appointing several other Ferries over *Rappahanock-River*, at *Thomas Stanton's*, at *Philemon Cavenaugh's Ford*, and *Norment's-Ford*.

Ordered, That the Proposition from the Vestry of *St. Paul's Parish*, in the County of *Stafford*, for Dividing that County into Two equal Parishes, be referr'd to the Consideration of the next Session of Assembly.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Tuesday, May 30, 1732.

MR. Attorney-General reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, several other Propositions and Grievances, from several Counties, and drawn up a State of the same, with their Opinions thereon; and he delivered the Report in at the Table, where the same was read.

A Petition of *John Allen*, of the County of *Surry*, Gent. was presented to the House, and read; praying Leave to bring in a Bill, to dock the Entail of certain Lands, in the County of *Surry*; and for Settling other Lands of greater Value, to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the Petition; and that Mr *Gray*, Mr *Simmons*, Mr *Robert Bolling*, Mr *Ravencroft*, and Mr *Samuel Harwood*, do prepare and bring in the same.

An Account of the Money put into the Hands of *Henry Harrison*, Esq; and *John Allen*, Gent. by Act of Assembly, for *Building a Church, Court-House, Prison, Stocks, and Pillory, in the County of Brunswick*; was presented to the House, and read:

Ordered, That the said Account, do lie on the Table.

The House being informed, by the Members for the County of *Brunswick*, That it appears by a Resolution of the House, at the last Session, That the Sum of Two Hundred and Thirty Nine Pounds Seventeen Shillings, remained in the Hands of Col. *Spotswood*, which ought to be laid out for Arms, to be distributed among the Inhabitants of the said County, pursuant to an Act of Assembly, made in the Year 1720, for *Erecting the Counties of Spotfylvania and Brunswick*; and that no Arms had been distributed among the Inhabitants of the said County, pursuant to that Resolution: A Motion was made, to consider that Matter; and after a Debate, and the Question put thereupon,

Resolved, That *Henry Harrison*, Esq; Lieutenant of the County of *Brunswick*, be empowered to Demand and Receive of Col. *Spotswood*, the said Sum of Two Hundred and Thirty Nine Pounds Seventeen Shillings, or Arms to the Value thereof.

Ordered, That the Speaker of this House do forthwith give Notice to Col. *Spotswood*, of the said Resolution; and desire his Answer thereunto.

The House proceeded to take into their Consideration, the said Report of the Committee of Propositions and Grievances; and the same was read: After a Debate, the Question was put,

That a Bill be prepared, to Refrain the Planting of Tobacco to Five Thousand Plants for a Tithable?

It passed in the Negative.

Then a Debate arose upon another Part of the said Report; and the Question was put,

That

That a Bill be prepared, for Repealing the Act, *Explaining and Amending the Act, making Negroes real Estates?*

It passed in the Negative.

Resolved, That the Proposition from *King* and *Queen* County, for allowing Masters of Ships and other Veffels, the Liberty of Fetching Tobacco from the Freighters or Planters Houfes; for reviewing Tobacco after it has been refufed by the Inspectors; and for allowing the Owners of Tobacco when it is refufed, to carry it Home and pick it over, be Rejected.

Resolved, That the Proposition from the County of *Charles-City*, to oblige thofe Counties only in the *Northern-Neck*, where the Public Warehoufes were burnt, to make good the Lofs, be Rejected.

Resolved, That the Proposition from the County of *James-City*, for appointing a Public Warehouse for Tobacco, at Mr *William Brown's* Landing, upon *Chickohominy-River*, be Rejected,

Ordered, That the Grievance from *Effex* County, in Relation to the inconvenient Situation of Two of the Public Warehoufes, in that County, be referr'd to the Consideration of the Committee appointed to prepare a Bill, to Amend the Act, *for Amending the Staple of Tobacco*.

Ordered, That a Bill be brought in, for fettling the Method of Proving Book Debts: And that the Committee for Courts of Juftice do prepare and bring in the fame.

Ordered, That a Bill be brought in, for pulling down Wooden Chimneys, in the Towns of *Southampton* and *Norfolk*; and to prevent the Building of others for the future: And that Mr *Blair*, Mr *Eskridge*, and Mr *Boush*, do prepare and bring in the faid Bill.

Ordered, That the Report of the faid Committee, upon the Proposition from the faid Town of *Southampton*, be referr'd to the Committee appointed to prepare and bring in the faid Bill.

Ordered, That the Report of the faid Committee, upon the Proposition from *Charles-City* County, for Settling a new Method of Paying Levies and Officers Fees, be confidered To-morrow.

Ordered, That the Houfe be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday, May 31, 1732.

A BILL for vefting Two Hundred Acres of Land, with the Appurtenances, in the Parifh of *Sittenburn*, in the County of *Richmond*, whereof *William Wilfon Homes*, and *Mary* his Wife, in Right of the faid *Mary*, are feifed in Fee-Tail, in *Richard Barnes*, in Fee-Simple; and for fettling other Lands and Negroes, of greater Value, to the fame Ufes; was read the fecond Time.

Ordered, That the Bill be committed to the Committee who prepared the fame; and that they do examine the Allegations therein, and report the Matter as it fhall appear to them, to the Houfe.

A Bill for vefting Three Hundred Acres of Land, with the Appurtenances, in the Parifh of *Washington*, in the County of *Westmorland*, whereof *George Weedon* is feifed, in Fee-Tail, in *John Washington*, Gent. in Fee-Simple; and for fettling other Lands, of greater Value, to the fame Ufes; was read the fecond Time.

Ordered, That the Bill be committed to the Committee who prepared the fame; and that they do examine the Allegations therein, and report the Matter as it fhall appear to them, to the Houfe.

Mr *Lee* prefented to the Houfe (according to Order) a Bill to continue and make perpetual, an Act therein mentioned; and for Impowering any Judge of the General-Court, to take Bail when the faid Court is not Sitting; and to oblige Defendants to pay Cofts upon Over-ruling a Plea in Abatement.

Alfo

Also a Bill, for Laying a Duty upon Slaves, to be paid by the Buyers: And the said Bills were received, and severally read the first Time.

Ordered, That the said Bills be read a second Time.

A Petition of *Richard Coleman, William Thornton, and Francis Thornton*, was presented to the House, and read; setting forth, That they being severally seised in Fee-Tail, of Three Parcels of Land, had convey'd the same to each other, in Exchange, and are desirous to have the same confirm'd, and to settle their respective Estates therein, with several Negros, to the same Uses: And praying, that Leave may be given to bring in a Bill for that Purpose.

Ordered, That Leave be given, to bring in a Bill according to the Prayer of the said Petition: And that Mr *Robert Bolling, Mr Francis Willis, and Mr Meriwether*, do prepare and bring in the same.

A Petition of *Augustine Smith*, Gent. a Member of this House, was presented to the House, and read; setting forth, That being Major of the Militia, in the County of *Spotsylvania*, he had the Care and Custody of a certain Quantity of Arms and Ammunition belonging to that County; that several Barrels of Powder, by Accident took Fire, and blew up his House, whereby he lost all his Household Goods, and had a young Negro Woman Slave killed; and praying the Consideration of the House therein, and that he may be relieved as the House shall think fit.

Ordered, That the said Petition, be referr'd to the Consideration of the Committee for Public Claims; and that they do examine the Matter thereof, and report the same, with their Opinion therein, to the House.

Ordered, That the further Consideration of the Report of the Committee for Courts of Justice, and of the Report of the Committee of Propositions, put off 'til To-day, be further put off 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Thursday, June 1, 1732.

A PETITION of *Robert Carter*, Esq; One of the Executors of the last Will and Testament of *Mann Page*, Esq; deceased, was presented to the House, and read; setting forth, That the Estate of the said *Mann Page*, is incurber'd with very great Debts; that the Executors are obliged to pay Interest, at the Rate of Four *per Cent. per Annum*, for great part of those Debts, to Merchants in *London*; that it would be a great Advantage to the Orphans, to raise Money upon the Credit of the Estate, to discharge such Debts: And praying Leave to bring in a Bill, to entitle him to Interest, after the Rate of Four *per Cent. per Annum*, for all Sums of Money, which he shall from Time to Time advance for that Purpose; and to charge the said Estate with the Repayment of such Principal Money and Interest.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Eskridge, Mr Francis Willis, and Mr Meriwether*, do prepare and bring in the same.

Mr *Attorney-General* reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, a Proposition from the upper Inhabitants of the Parish of *Bristol*, in the County of *Prince George*, for the Division of that Parish; and that they were come to a Resolution thereupon; which he delivered in at the Table, and the same was read, and agreed to by the House, as follows:

Resolved, That the said Proposition, be referr'd to the Consideration of the next Session of Assembly.

Mr *Attorney-General* also reported, from the said Committee, That they had had under their Consideration, the Petition of *William Brown*, to them referr'd; and finding many Difficulties in the Matter, pray'd the Direction of the House therein.

Then

Then a Petition of *William Woodford*, of the County of *Caroline*, was presented to the House, and read; alledging, That he has been at great Expence, in providing Engines and other Things, for Cutting Tobacco; that the Inspectors of Tobacco, scruple passing some that he has already manufactured; and praying Relief therein: And after a Debate,

The Question was put, That a separate Bill be brought in, for allowing cut Tobacco to be inspected and exported?

Resolved, in the Affirmative.

Ordered, That the said Committee do prepare and bring in the Bill; and that it be an Instruction to the Committee, to provide a Clause, to oblige the Cutters of Tobacco to cut none but inspected Tobacco.

A Bill to continue and make perpetual, an Act therein mentioned; and for empowering any Judge of the General-Court to take Bail when the said Court is not sitting, and to oblige Defendants to pay Costs upon Over-ruling a Plea in Abatement, was read a second Time; and an Addition was made to the Title and End of the Bill.

Ordered, That the Bill, with the Addition, be ingroffed.

A Bill for laying a Duty upon Slaves, to be paid by the Buyers, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

A Motion was made, That it be an Instruction to the Committee, to make the Duty Five *per Cent. ad valorem*, instead of the Duty as it now stands in the Bill: And a Debate arose thereupon,

And the Question was put, That it be an Instruction to the Committee, to lay the Duty *ad valorem*.

Resolved, in the Affirmative.

A Bill for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Hanover*, in the County of *King George*, whereof *Simon Miller* is seised in Fee-Tail, in *Thomas Turner*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses; was read the second Time: And a Petition of *Thomas Hoard* and *Jane* his Wife, was presented to the House, and read; alledging, That the Reversion in Fee-Simple, of the Lands in the said Bill mentioned, expectant upon the Estate-Tail, is vested in the said *Jane*; and that the Lands and Negros proposed to be settled in Lieu of the entailed Lands, are not an Equivalent; and praying that no Bill may pass, to dock the Entail, without their Consent.

Ordered, That the Bill be committed to the Committee who prepared the said Bill; and that they do examine the Allegations of the Bill, together with the Matter of the said Petition; and report the same, as it shall appear to them, to the House.

Ordered, That the Matters put off to be considered To-day, be further put off 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Friday, June 2, 1732.

ORDERED, That Mr *Crafford* have Leave to be absent from the Service of the House 'til *Wednesday* next.

Ordered, That it be an Instruction to the Committee to whom it is referr'd to bring in a Bill for the appointing several new Ferries, to add a Clause to the Bill, for appointing a Ferry from *John Roy's* Plantation, in the County of *Caroline*, over *Rappahanock* River, to the Landing opposite thereto, in the County of *King George*.

A Bill; intituled, *An Act to continue and make perpetual, an Act therein mentioned; and for empowering any Judge of the General-Court to take Bail when the said Court is not sitting; and to oblige Defendants to pay Costs upon Over-ruling a Plea in Abatement; and for allowing any Person to plead several Matters*, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That the Committee for Courts of Justice, do carry the Bill to the Council; and desire their Concurrence thereto.

Mr *Eskridge* reported, That the Committee to whom the Bill for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of *Washington*, in the County of *Westmoreland*, whereof *George Weedon* is seised in Fee-Tail, in *John Washington*, Gent. in Fee-Simple; and settling other Lands of greater Value, to the same Uses, was committed; had examined the Allegations of the Bill, and found the same to be true.

Ordered, That the Bill be ingrossed.

Mr *Burges* reported, That the Committee to whom the Bill for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of *Hanover*, in the County of *King George*, whereof *Simon Miller* is seised in Fee-Tail, in *Thomas Turner*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses; had examined the Allegations of the Bill, and found the same to be true.

That the Committee had also examined the Matter of the Petition of *Thomas Hoard* and *Jane* his Wife, against the said Bill to them referr'd; and are of Opinion, that the Allegations of the said Petition are groundless: After a Debate the Question was put,

That the House do agree to the Report of the said Committee?

Resolved, In the Affirmative.

Ordered, That the Bill be ingrossed.

Mr *Lee* reported, from the Committee to whom the Bill for Laying a Duty upon Slaves to be paid by the Buyers, was committed, That the Committee had made several Amendments to the Bill, which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

Mr *Taylor* reported, That the Committee to whom the Bill for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of *Sittenburn*, in the County of *Richmond*, whereof *William Wilson Homes* and *Mary* his Wife are seised in Fee-Tail, in *Richard Barnes*, in Fee-Simple; and for settling other Lands and Negros of greater Value, to the same Uses, was committed; had made an Amendment to the Bill, and had examined the Allegations of the Bill, and found the same to be true; and he read the Amendment in his Place, and afterwards delivered the Bill with the Amendment, in at the Table; where the Amendment was twice read, and agreed to by the House.

Ordered, That the Bill, with the Amendment, be ingrossed.

Then the House (according to Order) proceeded to take into Consideration the Report of the Committee for Courts of Justice, and of the Committee of Propositions and Grievances, in Relation to the Fees of certain Officers; and the said Reports were severally read.

The Alterations proposed by the Committee for Courts of Justice, in the Fees settled by the Act, made in the first Year of the King's Reign, for *ascertaining the Fees of certain Officers therein mentioned*, were again read; and, with some Amendments, were agreed to, by the House.

And a Motion was made, That the House would further consider the Fees mentioned in the said Act.

Ordered, That the Consideration of the said Motion, be put off 'til To-morrow.

The Treasurer's Accounts being laid before the House,

Ordered, That a Committee be appointed to examine the said Accounts, and that they do consider the several Blanks therein, and report their Opinions thereupon, to the House; and it is referr'd to Mr *Robert Bolling*, Mr *Blair*, and Mr *Burges*.

Ordered, That Mr *Taylor*, Mr *John Bolling*, and Mr *Braxton*, have Leave to be absent from the Service of the House all next Week.

A Petition of *Thomas Bray*, Gent. was presented to the House, and read; setting forth, That he, by the several last Wills of his Uncle *Thomas Bray*, and *David Bray*, and his Son, by the Will of his Father *James Bray*, are seised in Fee-Tail, of Twenty Thousand Acres

Acres of Land, with the Appurtenances, in the Counties of *James-City*, *Charles-City*, *York*, *New-Kent* and *King William*, respectively; and not having a sufficient Number of Slaves, to work and improve the said Lands, the same are rather a Burthen than an Advantage to them; and praying Leave to bring in a Bill, to enable the Petitioner, by Sale of certain Parcels of the Premises, to raise Two Thousand Pounds to be laid out in Negroes, to be annexed to the remaining Lands, for the Benefit of the Petitioner, his Son, and their Issue, respectively, and all others in Remainder.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that *Mr Lee*, *Mr Attorney-General*, *Mr Meriwether*, *Mr Basset*, *Mr Eaton*, *Mr Stith*, *Mr Car*, *Mr Whitehead*, and *Mr Lawrence Smith*, do prepare and bring in the same.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Saturday, June 3, 1732.

O*RD*ERED, That *Mr Fleming* have Leave to be absent 'til *Friday* next.

Ordered, That *Mr Randolph*, *Mr Roscow*, and *Mr Strother*, have Leave to be absent 'til *Tuesday* next.

Mr Lee presented to the House (according to Order) a Bill to prevent frivolous and vexatious Suits, and to regulate Attorneys practising in the County Courts; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *William Woodford*, Gent. setting forth, That he being in the Year One Thousand Seven Hundred and Twenty Nine, Sheriff of *Caroline*, a new County, then lately erected by Act of Assembly; before any Prison could be built, one *Fletcher* was committed to his Custody, at the Suit of one *Sutton*, for Want of Bail, who escaped; for which the Plaintiff recovered against the Petitioner, Twenty Three Pounds, Eight Shillings, and Six Pence, *Sterling*, and Eight Hundred and Twenty Five Pounds of Tobacco, Cofts; that the Petitioner brought Suit against the Justices of the County Court, in the General Court, where the same was adjudged against him; that those Suits, besides his own Expenses, cost him Fifty One Pounds, Seven Shillings, and Eleven Pence, Current Money, for which he is without Remedy, except by the Favour of this House; and praying such Relief in the Premises, as to the House shall seem just and reasonable.

Ordered, That the said Petition be referred to the Consideration of a Committee; and that they do examine the Matter thereof, and report the same, with their Opinions thereupon, to the House; and it is referred to *Mr Lee*, *Mr Meriwether*, *Mr Conway*, and *Mr Henry Willis*.

Mr Eskridge presented to the House (according to Order) a Bill to enable *Robert Carter*, Esq; one of the Executors of the last Will and Testament of *Mann Page*, Esq; deceased, to pay the Debts of the said *Mann Page*, and to entitle him to receive Interest for the Money he hath advanced or shall advance for that Purpose; and to charge the Estate of the said *Mann Page* with the Repayment of the Principal and Interest; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Gray presented to the House (according to Order) a Bill for vesting certain entail'd Lands in *John Allen*, Gent. in Fee-Simple, and for settling other Lands and a Mill, of greater Value, to the same Uses; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Francis Willis presented to the House (according to Order) a Bill to confirm an Agreement, between *Richard Coleman*, *William Thornton*, and *Francis Thornton*, for

for the Exchange of certain entail'd Lands, therein mentioned, and for settling the same, with certain Negro Slaves, according to the Will of the Donors; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The Order of the Day being read, a Debate arose,

And the Question was put, That Fees due to a County Court Clerk, from any Person not Resident in his County, be made diffrainable?

Resolved, In the Affirmative.

Then the Report of the Committee of Propositions and Grievances, made upon a Proposition from *Charles-City* County, for a Liberty to pay Levies and Officers Fees in Money, after the Rate of Ten Shillings a Hundred for Tobacco, at the Election of the Paier: And a Debate arose thereupon,

And the Question was put, That the said Proposition be Rejected?

Resolved, In the Affirmative.

Ordered, That a Bill be brought in, for continuing the Act, for *ascertaining the Fees of Certain Officers therein mentioned*; and that the Committee for Courts of Justice do prepare and bring in the same.

Ordered, That it be an Instruction to the said Committee, to make such Alterations in the Fees mentioned in the said Act, as were agreed unto by the House Yesterday; and that they have Power to make such other Alterations as they shall find reasonable.

Then a Motion was made, That it should be an Instruction to the said Committee, to make Provision in the said Bill, for the better ascertaining Surveyors Fees.

Ordered, That the said Motion be referr'd to the said Committee.

A Bill, intituled, *An Act for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of WASHINGTON, in the County of Westmorland, whereof George Weedon is seised in Fee-Tail, in John WASHINGTON, Gent. in Fee-Simple; and for settling other Lands, of greater Value, to the same Uses*; was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of SITTENBURN, in the County of Richmond, whereof William Wilfon Homes and Mary his Wife, in Right of the said Mary, are seised in Fee-Tail, in Richard Barnes, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Henry Willis do carry the said Bills to the Council; and desire their Concurrence thereto.

A Bill, intituled, *An Act for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of Hanover, in the County of King George, whereof Simon Miller is seised in Fee-Tail, in Thomas Turner, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses*; was read the third Time: And a Debate arose thereupon,

And the Question was put, That the Bill do pass?

It passed in the Negative.

Ordered, That the Bill be Rejected.

Ordered, That the House be adjourned 'til Monday Morning Eleven a Clock.

Monday, June 5, 1732.

A PETITION of William Meriwether, Gent. was presented to the House, and read, complaining of an undue Election and Return of Matthew Anderson, Gent. to serve in this present General Assembly, for the County of Hanover.

Ordered, That the said Petition be referr'd to the Consideration of the Committee for Elections and Privileges; and that they do examine the Matter thereof, and report the same, with their Opinions thereupon, to the House.

Ordered,

Ordered, That Mr *Nicholas Smith*, and Mr *Stith*, be added to the said Committee.

Mr *Lee* presented to the House (according to Order) a Bill to confirm and establish an Agreement therein mentioned, made between *Thomas Bray*, Gent. and *John Randolph*, Esq; for the Settlement of their respective Rights to certain Lands, whereof *David Bray* the elder, Gent. deceased, died seised; and for other Purposes therein also mentioned: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Henry Willis* presented to the House (according to Order) a Bill to enable and oblige the Parish of *St. George*, in *Spotsylvania* County, to refund and pay back to the Parish of *St. Mark*, in the County aforesaid, the Tobacco therein mentioned: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill to prevent frivolous and vexatious Suits, and to regulate Attorneys practising in the County Courts; was read the second Time:

And an Amendment was made to the Bill, at the Table.

Ordered, That the Bill be committed to the Committee who prepared it.

Mr *Attorney-General* presented to the House (according to Order) a Bill to amend the Act, for amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs: And the same was received.

Ordered, That the said Bill be read To-morrow Morning.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, June 6, 1732.

A MESSAGE from the Council, by Mr *Robertson*:

That they have agreed to the Bill, intituled, An Act to continue and make perpetual an Act therein mentioned; and for empowering any Judge of the General Court to take Bail when the said Court is not sitting; and to oblige Defendants to pay Cofts upon Over-ruling a Plea in Abatement; and for allowing any Person to plead several Matters, without any Amendment.

A Petition of *William West*, Gent. was presented to the House, and read; setting forth, That he is seised of a Tract of Land adjoining to the Town of *Delaware*, in the County of *King William*; that the Inhabitants of that Town keep very great Stocks of Cattle, Horses, Sheep, and Hogs, which range and feed upon his Lands, to his great Damage; and praying Leave to bring in a Bill for his Relief.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that Mr *Fox*, Mr *Whitehead*, and Mr *Car*, do prepare and bring in the same.

Mr. *Lee* presented to the House (according to Order) a Bill for Altering the Days for holding the Courts of *Richmond* and *Westmorland* Counties: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Henry Willis* presented to the House (according to Order) a Bill for Altering the Place for holding Courts in the County of *Spotsylvania*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Eskridge* reported, from the Committee for Elections and Privileges, That the Committee had had under their Consideration, the Matter of the Petition of *William Meriwether*, Gent. to them ferr'd; and having examined several Witneses, were come to a Resolution, which he read in his Place; and afterwards delivered the same in at the Table, where it was twice read, and agreed to by the House, as follows:

Resolved, That Mr *Matthew Anderson* is duly elected and returned a Burges, to serve in this present General Assembly, for the County of *Hanover*.

A Petition of *John Savage* and *Gertrude Harmanfon*, was presented to the House, and read; praying that Leave may be given to bring in a Bill, to vest Five Hundred Acres of Land, with the Appurtenances, in the County of *Northampton*, whereof the said *John* is seised in Fee-Tail, in the said *Gertrude*, in Fee-Simple; and for settling Two Hundred Acres of Land, with the Appurtenances, in the County of *Accomack*, and Four Negros, of greater Value, in Lieu thereof, to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that *Mr Strother*, and the Members for the *Eastern Shore*, do prepare and bring in the same.

A Petition of *William Loury* and *Mary* his Wife, was presented to the House, and read; praying that Leave may be given to bring in a Bill, to settle Eight Hundred Acres of entail'd Lands, in the County of *Effex*, upon their Children, in Tail successively; and to settle Seven Hundred and Forty Two Acres of Land, with the Appurtenances, in the County of *Northumberland*, upon the Children of the said *Mary*, by a former Husband, in Lieu thereof, to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the Petition; and that *Mr Eskridge*, and the Members for the Counties of *Northumberland* and *Effex*, do prepare and bring in the same.

Mr Lee reported, from the Committee to whom the Bill to prevent frivolous and vexatious Suits, and to regulate Attorneys practising in the County Courts, was committed, several Amendments made by the Committee, to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were twice read, and agreed to by the House.

Ordered, That the Bill, with the Amendments, be Ingrossed.

A Bill to amend the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs; was, according to Order, read the first Time.

Ordered, That the Bill be read a second Time on *Thursday*.

The House proceeded to take into Consideration the Amendments made to the Bill, for Laying a Duty on Slaves, to be paid by the Buyers, by the Committee to whom the Bill was committed; and the Amendments were twice severally read: And after a Debate, and the Question put upon one of them, were agreed unto by the House.

And a Blank in one of the Amendments, was filled up at the Table.

Ordered, That the Bill, with the Amendments, be Ingrossed.

A Bill to confirm and establish an Agreement, between *Richard Coleman*, *William Thornton*, and *Francis Thornton*, for the Exchange of certain entailed Lands therein mentioned; and for settling the same, with certain Negro Slaves, according to the Will of the Donors; was read a second Time.

Ordered, That the Bill be committed to the Committee who prepared the same; and that they do examine the Allegations thereof, and report the Matter as it shall appear to them, to the House.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday, June 7, 1732.

A PETITION of *John Poindexter*, and *William Meriwether*, was presented to the House, and read; praying Leave to bring in a Bill, to confirm a Sale of certain entail'd Lands, with the Appurtenances, in the County of *Hanover*, made by the said *John* to the said *William*; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that *Mr Whitehead*, *Mr Car*, *Mr Bacon*, *Mr Buffet*, and *Mr Anderson*, do prepare and bring in the same.

Ordered, That no Petition for a private Bill, be received after *Monday* next.

Mr

Mr *Strother* presented to the House (according to Order) a Bill for vesting certain entail'd Lands, with the Appurtenances, in the County of *Northampton*, in *Gertrude Harmanson*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Attorney-General* presented to the House (according to Order) a Bill, for killing of Squirrels and Crows: Also a Bill, for settling new Ferries over *James* and *Rappahanock* Rivers: And the same were received, and read the first Time.

Ordered, That the Bills be read a second Time.

A Petition of *Charles Barham* was presented to the House, and read; praying that Leave may be given to bring in a Bill, to enable him to sell a Parcel of entail'd Lands therein mentioned; and to purchase other Land therein also mentioned, of more Value and Convenience to the Petitioner, to be settled to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *William Harwood*, Mr *Eaton*, Mr *Power*, and Mr *Roscow*, do prepare and bring in the same.

Mr *Eskridge* presented to the House (according to Order) a Bill, to settle certain entail'd Lands, in the County of *Effex*, whereof *William Lowry* and *Mary* his Wife, in Right of the said *Mary*, are seized, upon the Issue of the said *Mary*, by her last Marriage; and for settling other Lands in Lieu thereof, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Lee* presented to the House (according to Order) a Bill for prescribing a Method for proving Book Debts: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *Thomas Turner* was presented to the House, and read; setting forth, That he is informed, the Bill lately brought in, to vest certain entail'd Lands in him, in Fee-Simple, and for settling other Lands and Negros, to the same Uses, was Rejected, because the Lands and Negros proposed to be settled in Lieu of the entail'd Lands, were not an Equivalent; and proposing to add one Negro Woman more; and praying that Leave may be given to bring in another Bill for that Purpose.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that Mr *Burges* and Mr *Lee*, do prepare and bring in the same.

A Message from the Council, by Mr *Robertson*:

That they have agreed to the Bill, intituled, An Act for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of Washington, in the County of Westmorland, whereof George Weedon is seized in Fee-Tail, in John Washington, Gent. in Fee-Simple; and for settling other Lands, of greater Value, to the same Uses. And also to the Bill, intituled, An Act for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of Sittenburn, in the County of Richmond, whereof William Wilson Homes, and Mary his Wife, in Right of the said Mary, are seized in Fee-Tail, in Richard Barnes, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses; without any Amendment.

A Petition of *William Parks* was presented to the House, and read; praying that the House will establish such a Salary for Printing the Laws, Proclamations, and Journals of Assembly, for Public Use, as may enable him to continue and carry on his Business of Printing in this Colony.

Ordered, That the said Petition do lie on the Table.

Ordered, That a Committee be appointed to receive the Proposals of the said *William Parks*; and that they do report the same, with their Opinions thereupon, to the House: And it is referred to Mr *Lee*, Mr *Blair*, Mr *Conway*, Mr *Meriwether*, and Mr *Burges*.

Mr *Lee* reported, That the Persons appointed, had (according to Order) considered the Petition of Mr *William Woodford*; and were of Opinion, that it is very reasonable

to

to bring in a Bill, to oblige the Justices of the County of *Caroline*, to reimburse him the Damages he has sustain'd in Relation to the Escape of *Fletcher*, being occasioned by the Want of a Prison, which the said Justices ought to have provided.

And a Record of the General Court, of a Trial of an Information brought by the said *William Woodford* against the Justices of the said County, was read:

And thereupon, a Debate arose, and the Question was put upon it,

That the Report of the said Committee be agreed to?

It pass'd in the Negative.

Then a Motion was made, to give Leave to bring in a Bill, to oblige the County of *Caroline* to reimburse the said *William Woodford* the Damages he has sustain'd by reason of the Escape of the said *Fletcher*: And another Debate arose, and the Question was put thereupon,

That such a Bill be brought in?

Resolved, In the Affirmative.

Ordered, That *Mr Lee*, *Mr Meriwether*, *Mr Conway*, and *Mr Henry Willis*, do prepare and bring in the said Bill.

A Bill, intituled, *An Act to prevent frivolous and vexatious Suits; and to regulate Attorneys practising at County Courts*; was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for Laying a Duty upon Slaves, to be paid by the Buyers*; was read the third Time.

And an Amendment was propos'd to the Bill; which, upon the Question, was disagreed to by the House.

Resolved, *Nemine Contradicente*, That the Bill do pass.

Ordered, That the Committee for Courts of Justice, do carry the said Bills to the Council; and desire their Concurrence thereto.

A Bill to confirm and establish an Agreement therein mentioned, made between *Thomas Bray*, Gent. and *John Randolph*, Esq; for the Settlement of their respective Rights to certain Lands, whereof *David Bray*, the elder, Gent. deceased, died seized; and for other Purposes therein also mentioned; was read the second Time.

Ordered, That the Bill be Ingrossed.

A Bill for vesting certain entail'd Lands, in *John Allen*, Gent. in Fee-Simple; and for settling other Lands and a Mill, of greater Value, to the same Uses; was read the second Time.

And a Petition of *Arthur Smith*, in Behalf of *James Allen*, an Infant, whose Guardian he is, was presented to the House, and read; setting forth, That after the Death of the said *John Allen*, without Issue, the said *James* is next in Remainder, to take the said entail'd Lands; and suggesting several Reasons against the Passing the said Bill.

Ordered, That the Bill be committed to a Committee; and that they do examine the Allegations thereof, together with the Matter of the said Petition; and report the same, as it shall appear to them, to the said House.

And a Committee was appointed, of the following Persons: *Mr Gray*, *Mr Randolph*, *Mr Conway*, *Mr Stith*, *Mr Simmons*, *Mr Burges*, *Mr Robert Bolling*, *Mr Ravenscroft*, *Mr Samuel Harwood*, *Mr Eskridge*, and the Members for the Counties of *Isle of Wight*, and *Nansemond*.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Thursday, June 8, 1732.

M*R. Whitehead* presented to the House (according to Order) a Bill for confirming certain entail'd Lands therein mentioned, to *William Meriwether*, in Fee-Simple; and for settling other Lands and Negroes in Lieu thereof, to the same Uses.

And *Mr William Harwood* presented to the House (according to Order) a Bill to enable *Charles Barham*, to sell certain entail'd Lands therein mentioned; and to purchase other Lands therein mention'd, to be settled in Lieu thereof, to the same Uses.

And

And the said Bills were severally received, and read the first Time.

Ordered, That the said Bills be read a second Time.

A Bill to amend the Act, *for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; was (according to Order) read a second Time.

And the Question was put, That the Bill be committed to a Committee of the whole House?

It passed in the Negative.

And several Amendments were made at the Table, to Part of the Bill.

Ordered, That the further Consideration of the Bill, be adjourn'd 'til To-morrow.

Ordered, That Mr *Anderson* have Leave to be absent from the Service of the House 'til *Tuesday* next.

Mr *Attorney-General* reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, a Memorial of Col. *Alexander Spotfwood*, Sole Deputy-Post-Master-General, of all the *British* Dominions in *America*, referr'd from the Governor and Council; praying that Ferries may be settled over *Rappahanock* River, just above the Mouth of *Massaponax* Creek, in *Spotsylvania*, to the Land of Mr *James Ball*, in *King George* County; and over *Pattowmack* River, from just below the Mouth of *Quantico*-Creek, to Col. *Mason's* Landing, in *Maryland*: And are of Opinion, That it will be proper that Public Ferries be appointed and settled at those Places, according to the Prayer of the Memorial.

Ordered, That the said Report be considered at the second Reading of the Bill, for settling new Ferries over *James* and *Rappahanock* Rivers.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Friday, June 9, 1732.

MR. *Robert Bolling*, from the Committee of Public Claims, reported, That the said Committee had examin'd and consider'd all the Public Claims which had been laid before them this Session; and agreed upon a Report, which they had enter'd in a Book: And he delivered the Book in at the Table.

Ordered, That the same do lie on the Table.

Mr *Blair* presented to the House (according to Order) a Bill for pulling down Wooden Chimnies, in the Towns of *Southampton* and *Norfolk*; and to prevent the Building of others for the future; and the same was received and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act to confirm and establish an Agreement therein mentioned, made between Thomas Bray, Gent. and John Randolph, Esq; for the Settlement of their respective Rights to certain Lands, whereof David Bray, the elder, Gent., deceased, died seized; and for other Purposes therein also mentioned.*

Resolved, Nemine Contradicente, That the Bill do pass.

Ordered, That Mr *Lee* do carry the Bill to the Council; and desire their Concurrence thereto.

Ordered, That Mr *Nicholas Smith* have Leave to be absent from the Service of the House for a Week; and that Mr *Applewhaite* have Leave to be absent 'til *Monday*.

Mr *Lee* presented to the House (according to Order) a Bill for vesting certain entail'd Lands, with the Appurtenances, therein mentioned, in *Thomas Turner* in Fee-Simple; and for settling other Lands and Negros to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Speaker* acquainted the House, That he had received a Letter from Col. *Spotfwood*, in Answer to a Letter he wrote; giving him Notice of an Order of this House, empowering Col. *Harrison*, to receive of him Two Hundred and Thirty Nine Pounds Seventeen

Seventeen Shillings, or Arms to the Value thereof, for the County of *Brunswick*; and he delivered the Letter in at the Table, where it was read.

Ordered, That the said Letter do lie on the Table, for the Perusal of the Members.

A Petition of *George Webb*, Gent. was presented to the House, and read; setting forth, That he was employed to prepare a complete Copy of the Laws of this Colony, for the Prefs, by the Committee appointed for that Purpose; that he hath finished the same with great Care and Exactness, and has been at very great Expence in that Business; that he hath likewise composed a very comprehensive Table; and praying the Consideration of the House therein; and that he may have a suitable Allowance for the same.

Ordered, That the said Committee do report what they think reasonable to be allow'd the said *George Webb*, for his said Service.

A Bill for confirming certain entail'd Lands therein mentioned, to *William Meriwether* in Fee-Simple; and for settling other Lands and Negros in Lieu thereof, to the same Uses; was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared the same, and to the Members for the Counties of *King* and *Queen*, and *Caroline*; and that they do examine the Allegations thereof; and report the Matter as it shall appear to them, to the House.

A Bill to settle certain entail'd Lands, with the Appurtenances, in the County of *Effex*, whereof *William Loury* and *Mary* his Wife, in Right of the said *Mary*, are seized, upon the Issue of the said *Mary*, by her last Marriage; and for settling other Lands in Lieu thereof, to the same Uses, was read the second Time.

Ordered, That the Bill be committed to a Committee, to examine the Allegations thereof; and to report the Matter as it shall appear to them, to the House: And it is refer'd to Mr *Eskridge*, Mr *Meade*, and the Members for the Counties of *Northumberland* and *Effex*.

The House (according to Order) proceeded to the further Consideration of the Bill to amend the Act for amending the Staple of Tobacco; and preventing Frauds in His Majesty's Customs.

And several other Amendments were made to other Parts of the Bill; and other Amendments were proposed, and upon the Question, were disagreed to by the House.

Ordered, That the further Consideration of the said Bill, be adjourn'd 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Saturday, June 10, 1732.

ORDERED, That Mr *Baffet* have Leave to be absent from the Service of the House 'til *Thursday* next.

Ordered, That Mr *Martin* have Leave to be absent from the Service of the House 'til *Tuesday* next.

Mr *Lee* reported, That the Persons appointed, had (according to the Order of the House) received the Proposals of Mr *Parks*, for Printing the Laws, and Journals, of every Session of Assembly; and agreed upon a Report thereupon; which he read in his Place, and delivered it in at the Table, where the same was again read, as followeth:

"Your Committee have (according to Order) receiv'd the Proposals of Mr *William Parks*, Printer: Which are,

"That for the Sum of One Hundred and Twenty Pounds *per Annum*, he will Print "the Governor's Speech, and the Addresses of both Houses, and the Journal of this "House, every Session; and deliver a Copy of each of them, to every Member.

"That he will Print the Public Laws of every Session, and deliver a Copy of them "fetched, to every Member, and to every Justice of the Peace in the Colony; and that "he

"he will deliver a Copy of the Laws of every Sessïon, well Bound, to the Secretary's Office, and to every County Court in the Colony.

"Upon Consideration of the said Proposals, Your Committee are of Opinion, That "they are reasonable: But as the Clerk of this House will loose, by these Proposals, a "considerable Perquisite of his Office, arising from the Copies of the Laws for the Secretary's "Office, and the several County Courts; and that he will, notwithstanding, have considerable Trouble and Care in Correcting the Presses, and making a Table; Your Committee "are of Opinion, That besides the usual Allowance as Clerk, and for the Four fair Copies "of the Journals, and the Laws, which must still be written, there be allowed him the "further Sum of Fifty Pounds every Sessïon.

Resolved, That a Salary of One Hundred and Twenty Pounds *per Annum*, be paid to the said *William Parks*, in Consideration of Printing the several Matters mentioned in the said Report, according to his said Proposals; and that his Salary commence at the End of this Sessïon; to be paid Half-Yearly.

Ordered, That *Mr Lee*, *Mr Conway*, *Mr Blair*, *Mr Meriwether*, and *Mr Burges*, do carry the said Resolve to the Council; and desire their Concurrence thereto.

Resolved, That the Sum of Fifty Pounds be allowed the Clerk of this House, for every Sessïon of Assembly, in Consideration of his Trouble and Care in Preparing a Copy of the Laws of every Sessïon, with a Table, for the Presses, and Correcting the same; and for making out Copies of the Proportion of the Public Levy.

Mr Conway presented to the House (according to Order) a Bill to confirm certain entail'd Lands therein mentioned, with the Appurtenances, to *John Tayloe*, Esq; in Fee-Simple; and for settling other Lands and Negros therein also mentioned, of greater Value, in Lieu thereof, to the same Uses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Whithead reported, That the Committee to whom the Bill for confirming certain entail'd Lands therein mentioned, to *William Meriwether* in Fee-Simple; and for settling other Lands and Negros, in Lieu thereof, to the same Uses; had (according to Order) examined the Allegations thereof, and find the same to be true.

Ordered, That the Bill be ingrossed.

Mr Gray reported, That the Committee to whom the Bill for vesting certain entail'd Lands, in *John Allen*, Gent. in Fee-Simple; and for settling other Lands and a Mill, of greater Value, to the same Uses, was committed; have (according to Order) examined the Allegations thereof, and likewise considered the Petition of *Arthur Smith*, in Behalf of *James Allen*; and were of Opinion, That the Allegations of the Bill are true; and that the Lands proposed to be settled in Lieu of the entail'd Lands, is an ample Equivalent to the said *James Allen*; and that the Opposition made to the Bill, is not for his Advantage.

Ordered, That the Bill be ingrossed.

Mr Eskridge reported, That the Committee to whom the Bill to settle certain entail'd Lands, with the Appurtenances, in the County of *Effex*, whereof *William Loury* and *Mary* his Wife, in Right of the said *Mary*, are seized, upon the Issue of the said *Mary*, by her last Marriage; and for settling other Lands, in Lieu thereof, to the same Uses, was committed; have (according to Order) examined the Allegations of the Bill, and find the same to be true; and have made some Alterations in the Settlement of the Lands therein mentioned; and with those Alterations, it may be reasonable to pass the Bill.

And the Alterations made in the Bill, were read, and agreed to.

Ordered, That the Bill with the Alterations, be ingrossed.

Mr Attorney-General reported, That the Committee intrusted with the Printing of the Laws, had (according to Order) considered what may be reasonable to allow *Mr George Webb*, for his Trouble and Pains, in Preparing the Copy for the Presses, and Composing the Table; and were of Opinion, That the Sum of Two Hundred Pounds, will be a very ample and generous Reward for that Service.

And the House were informed, That the said *George Webb*, had already received of the Treasurer, by Order of the said Committee, One Hundred Pounds:

Ordered,

Ordered, That the further Sum of One Hundred Pounds, out of the Money in the Hands of the Treasurer, be paid to the said *George Webb*; in full Compensation for his Care and Pains, in Preparing a Copy of the Laws, and Composing a Table, for the Prefs.

Ordered, That Mr *Attorney* carry the said Resolve to the Council; and desire their Concurrence thereto.

Mr *Robert Bolling* reported, That the Persons appointed, had had under their Consideration the Treasurer's Accounts; and that there was a Blank in the Accounts, for the Freight of the Weights and Scales, imported for the Use of the Public Tobacco Warehouses, wherein they prayed the Directions of the House.

And Mr *Speaker* acquainted the House with several Transactions, in Relation to the said Weights and Scales.

Ordered, That it be an Instruction to the said Committee, to allow in the said Accounts, Two Hundred and Twenty Pounds *Sterling*, in Current Money, at Twenty *Per Cent.* for the Difference of Exchange, for the Freight of the Weights and Scales: And that the Treasurer do pay the said Sum, to *Thomas Underdown*, Master of the Ship *Phoenix*, to be discounted upon the Charter-Party, made between him and Mr *Edward Randolph*, late of *London*, Merchant.

A Message was sent from the Council, *That they have agreed to the Bill, intituled, An Act to prevent frivolous and vexatious Suits; and to regulate Attorneys practising at the County Courts; without any Amendment.*

And a Written Message was delivered from the Council, as follows:

By the Council:

Mr *Speaker* and Gentlemen of the House of Burgesses,

The Council having had under Consideration, the Bill sent up from your House, for Laying a Duty upon Slaves, to be paid by the Buyers; and being desirous to remove all reasonable Objections against that Bill, as well as all Misunderstandings with your House, propose, That the Drawbacks to be allowed for Slaves exported within the Time therein mentioned, be general, without Distinction of the Persons exporting, or the Place to which the said Slaves shall be carried; but if any of the said Slaves be brought back to this Colony, by Land or Water, a new Entry shall be made, and the Duty paid, under the Penalty of Forfeiting Five Pounds for each Slave so imported, for which the Duty shall not be paid within the Space of Forty Days after such Importation.

And they desire Your House will consent, That the said Bill be amended accordingly, conformable to the Practice heretofore established in other Money Bills.

By Order of the Council,

June 10th, 1732.

William Robertson, Cl. G. A.

Resolved, That this House doth not agree to make the Amendment proposed by the Council, to the said Bill.

Ordered, That a Message be sent to the Council, to acquaint them with the Resolution of the House: And that Mr *Lee* do go up with the Message.

A Bill for settling new Ferries over *James* and *Rappahanock* Rivers, was read a second Time.

A Petition of Mr *Thomas Corbin*, was presented to the House, and read; setting forth, That the Ferry appointed in the said Bill, from *Hackley's* House, to the Petitioner's Plantation, called *Moss's Neck*, will be no Public Advantage, and a very great Damage to the Petitioner; and Praying, that the Bill may pass for that Ferry.

Ordered, That the Bill be committed to the Committee of Propositions and Grievances; and that the said Petition be referr'd to the said Committee.

A Bill to enable *Charles Barham*, to sell certain entail'd Lands therein mentioned; and to purchase other Lands therein also mentioned, to be settled in Lieu thereof, to the same Uses; was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill prescribing a Method for proving Book Debts; was read a second Time.

And

And several Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill for Altering the Place for holding Courts in the County of *Spotsylvania*, was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill to enable and oblige the Parish of *St. George*, in *Spotsylvania* County, to refund and pay back to the Parish of *St. Mark*, in the County aforesaid, the Tobacco therein mentioned; was read a second Time.

Ordered, That the Bill be ingrossed.

Mr *Lee* moved for Leave to present a Bill, for settling some Doubts and Differences of Opinion, in relation to the Benefit of Clergy, for allowing the same to Women, and taking away of Reading, and to disable certain Persons therein mentioned, to be Witnesses: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the further Consideration of the Bill, to amend the Act for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs, put off 'til to Day, be further put off 'til Monday.

Ordered, That the House be adjourned 'til Monday Morning Eleven a Clock.

Monday, June 12, 1732.

A PETITION of *George Thomas*, was presented to the House, and read; praying that Leave be given to bring in a Bill, to confirm an Agreement made between him and *Charles Hudson*, for the Sale of certain entail'd Lands, in Exchange for other Lands, of greater Value, therein mentioned.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Meriwether*, and the Members for the Counties of *Henrico*, and *King William*, do prepare and bring in the same.

A Bill for Killing Squirrels and Crows, was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill for pulling down Wooden Chimnies, in the Towns of *Southampton* and *Norfolk*; and to prevent the Building of others for the future; was read a second Time.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill for Altering the Days for holding the Courts of *Richmond* and *Westmorland* Counties, was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill to confirm certain entail'd Lands therein mention'd, with the Appurtenances, to *John Tayloe*, Esq; in Fee-Simple; and for settling other Lands and Negros therein also mentioned, of greater Value, in Lieu thereof, to the same Uses; was read a second Time.

Ordered, That the Bill be committed to the Committee who prepared it; and to Mr *Conway*, Mr *Eskridge*, and Mr *Henry Willis*; and that they do examine the Allegations thereof, and report the Matter as it shall appear to them, to the House.

A Bill, intituled, *An Act prescribing a Method for proving Book Debts*, was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act to enable and oblige the Parish of St. George, in Spotsylvania County, to refund and pay back to the Parish of St. Mark, in the County aforesaid, the Tobacco therein mentioned*; was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for Altering the Place for holding Courts in the County of Spotsylvania*, was read a third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr *Lee* carry the said Bills to the Council; and desire their Concurrence thereto.

The House (according to Order) proceeded to the further Consideration of the Bill to amend the Act, for amending the Staple of Tobacco; and preventing Frauds in His Majesty's Customs.

And several other Amendments were made to the Bill, at the Table.

Ordered, That the further Consideration of the said Bill, be adjourn'd 'til To-morrow.

Mr *Lee* presented to the House (according to Order) a Bill to oblige the County of *Caroline*, to reimburse *William Woodford*, the Damages he sustain'd by Means of the Escape of *Benjamin Fletcher*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Message from the Council:

That they have agreed to the Bill, intituled, An Act, for laying a Duty upon Slaves, to be paid by the Buyers.

Also to the Bill, intituled, An Act to confirm and establish an Agreement therein mentioned, made between Thomas Bray, Gent. and John Randolph, Esq; for the Settlement of their respective Rights to certain Lands, whereof David Bray, the elder, Gent. deceased, died seised; and for other Purposes therein also mentioned, without any Amendment.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, June 13, 1732.

MR. *Lee* presented to the House (according to Order) a Bill to enable *Thomas Bray*, Gent. to sell certain entail'd Lands therein mentioned; and to lay out the Purchase-Money in Slaves, to be annex'd to other entail'd Lands therein also mentioned: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act for confirming certain entail'd Lands therein mentioned, to William Meriwether in Fee-Simple; and for settling other Lands and Negros, in Lieu thereof, to the same Uses;* was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act to enable Charles Barham, to sell certain entail'd Lands therein mentioned; and to purchase other Lands therein also mentioned, in Lieu thereof, to the same Uses;* was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act to settle certain entail'd Lands, with the Appurtenances, in the County of Essex, whereof William Lorry and Mary his Wife, in Right of the said Mary, are seised, upon the Issue of the said Mary, by her last Marriage; and for settling other Lands, in Lieu thereof, to the same Uses;* was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for Altering the Days for holding the Courts of Richmond and Westmorland Counties,* was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for Killing of Squirrels and Crows,* was read a third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Taylor* do carry the said Bills to the Council; and desire their Concurrence thereto.

A Bill for vesting certain entail'd Lands, with the Appurtenances, in the County of *Northampton*, in *Gertrude Harmanfon*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses; was read a second Time.

Ordered,

Ordered, That the Bill be committed to the Committee who prepared it; and that they do examine the Allegations thereof; and report the Matter, as it fhall appear to them, to the Houfe.

The Houfe (according to Order) proceeded to the further Confideration of the Bill to amend the Act, *for amending the Staple of Tobacco; and preventing Frauds in His Majesty's Customs*: And feveral other Amendments, upon the Queftion put, were made to the Bill, at the Table.

Ordered, That the further Confideration of the faid Bill be adjourn'd 'til To-Morrow.

Ordered, That the Houfe be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday, June 14, 1732.

A BILL, intituled, *An Act for vefting certain entail'd Lands, in John Allen, Gent. in Fee-Simple; and for fettling other Lands and a Mill, of greater Value, to the fame Ufes*; was read a third Time.

Resolved, That the Bill do pafs.

A Bill, intituled, *An Act for pulling down Wooden Chimnies, in the Towns of Southampton and Norfolk and to prevent the Building of others for the future*; was read a Third Time.

Resolved, That the Bill do pafs.

Ordered, That Mr *Tayloe* do carry the Bills to the Council; and defire their Concurrence thereto.

A Bill, to enable *Robert Carter, Efq*; One of the Executors of the laft Will and Teftament of *Mann Page, Efq*; deceafed, to pay the Debts of the faid *Mann Page*; and to entitle him to receive Intereft for the Money he hath advanced or fhall advance for that Purpofe; and to charge the Eftate of the faid *Mann Page* with the Reparment of the Principal and Intereft; was read a fecond Time.

Ordered, That the Bill be committed to a Committee; and that they do examine the Allegations thereof; and report the Matter, as it fhall appear to them, to the Houfe: And it is referr'd to Mr *Eskridge*, Mr *Meriwether*, Mr *Blair*, Mr *Conway*, Mr *Attorney*, Mr *Tayloe*, Mr *Lee*, Mr *Robinfon*, and Mr *Francis Willis*.

Mr *Speaker* acquainted the Houfe, That he had received a Letter concerning fome Public Buſinefs, which he laid before the Houfe.

And a Letter from *William Cradock*, *Walter Clopton*, and *Pelham Moor*, Three Infpectors, to Mr *Speaker*, was read; acquainting him, That they had been at the Expence of Fifteen Pounds Twelve Shillings, in employing Two Perfons to watch the Warehoufes under their Infpection; and defiring him to procure it to be paid.

Ordered, That the faid Letter do lie upon the Table.

Mr *Tayloe* prefented to the Houfe (according to Order) a Bill for dividing every of the Counties of *Richmond*, *King George*, and *Prince William*, into Two Diſtinct Pariſhes: And the fame was received, and read the firſt Time.

Ordered, That the Bill be read a fecond Time.

Mr *Lee* prefented to the Houfe (according to Order) a Bill to Revive and Continue certain Parts of an Act *for Aſcertaining the Fees of certain Officers*; and for better fettling the Fees of County Court Clerks, Sheriffs, and of Attorneys, in Cauſes depending in the County Courts, to be allowed in the Bill of Coſts: And the fame was received, and read the firſt Time.

Ordered, That the Bill be read a fecond Time.

Mr *Attorney-General* reported, from the Committee of Propoſitions and Grievances, to whom the Bill for fettling new Ferries over *James* and *Rappahanock* Rivers was committed, feveral Amendments made by the Committee, to the Bill; and he read the

Amendments

Amendments in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were twice read.

And upon the Question put upon one of them, were agreed unto by the House, with an Amendment.

Ordered, That the Bill, with the Amendments, be ingrossed; and that the Title of the Bill be, *An Act for settling new Ferries over James, Appamatox, Nottoway, Rappahannock, and Pattowmack Rivers.*

Mr Attorney-General also reported, from the said Committee, That they had had under their Consideration, a Proposition from the County of *Brunswick*, for an Addition to be made to that County out of the Counties of *Surry*, and *Isle of Wight*; and were come to a Resolution thereupon; which he read in his Place, and afterwards delivered it in at the Table.

Ordered, That the Consideration of the said Report, be put off 'til *Friday* next.

Then the House proceeded to the further Consideration of the Bill, *for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs.*

And several other Amendments were made to the Bill.

Ordered, That the further Consideration of the said Bill, be adjourn'd 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Thursday, June 15, 1732.

MR. Conway reported, That the Persons appointed had (according to Order) examined the Allegations of the Bill, to confirm certain entail'd Lands therein mention'd, with the Appurtenances, to *John Tayloe*, Esq; in Fee-Simple; and for settling other Lands and Negros therein also mention'd, of greater Value, in Lieu thereof, to the same Uses; and found the same to be true: But that they had made several Alterations therein, and with those Alterations, it will be reasonable to pass the Bill.

Ordered, That the Bill be ingrossed.

Mr Strother reported, That the Persons appointed, had (according to Order) examined the Allegations of the Bill, for vesting certain entail'd Lands, with the Appurtenances, in the County of *Northampton*, in *Gertrude Harmanfon*, in Fee-Simple; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses; and found the same to be true.

Ordered, That the Bill be ingrossed.

A Bill to oblige the County of *Caroline*, to reimburse *William Woodford* the Damages he sustain'd by the Escape of *Benjamin Fletcher*, was read a second Time.

And a Blank in the Bill was fill'd up, and an Amendment made to it at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

A Bill to enable *Thomas Bray*, Gent. to sell certain entail'd Lands therein mention'd; and to lay out the Purchase-Money in Slaves, to be annexed to other entail'd Lands therein also mentioned; was read a second Time.

Ordered, That the Bill be committed to the Committee who prepared it; and that they do examine the Allegations thereof, and report the matter as it shall appear to them, to the House.

A Bill for dividing every of the Counties of *Richmond*, *King George*, and *Prince William*, into Two distinct Parishes, was read a second Time.

And a Petition of the Vestry of *Hanover* Parish, in the County of *King George*, was presented to the House, and read; suggesting several Reasons against the Passing of the said Bill.

Ordered, That the Bill be committed to the Committee of Propositions and Grievances; and that they do examine the Matter of the said Petition, and report the same, with their Opinions thereupon, to the House.

The

The House proceeded to the further Consideration of the Bill, for *Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs.*

And several other Amendments were made to the Bill, at the Table.

Ordered, That the further Consideration of the said Bill, be adjourn'd 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Friday, June 16, 1732.

MR. *Lee* reported, That the Persons appointed, had (according to Order) examined the Allegations of the Bill to enable *Thomas Bray*, Gent. to sell certain entail'd Lands therein mentioned; and to lay out the Purchase-Money in Slaves, to be annexed to other entail'd Lands therein also mentioned; and found the same to be true: And that they had made several Amendments to the Bill, which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read, and agreed unto by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Eskridge* reported, That the Persons appointed, had (according to Order) examined the Allegations of the Bill to enable *Robert Carter*, Esq; one of the Executors of the last Will and Testament of *Mann Page*, Esq; deceased, to pay the Debts of the said *Mann Page*; and to entitle him to receive Interest for the Money he hath advanced, or shall advance for that Purpose; and to charge the Estate of the said *Mann Page*, with the Repayment of the Principal and Interest: And that they were of Opinion, it was reasonable to pass the Bill.

Ordered, That the Bill be ingrossed.

Mr *Francis Willis* reported, That the Persons appointed, had (according to Order) examined the Allegations of the Bill, to confirm and establish an Agreement between *Richard Coleman*, *William Thornton*, and *Francis Thornton*, for the Exchange of certain entail'd Lands therein mentioned; and for settling the same, with certain Negro Slaves, according to the Will of the Donors, and found the same to be true.

Ordered, That the Bill be ingrossed.

A Bill for vesting certain entail'd Lands, with the Appurtenances, therein mentioned, in *Thomas Turner* in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses; was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill for settling some Doubts and Differences of Opinions, in Relation to the Benefit of Clergy; for allowing the same to Women, and taking away of Reading; and to disenable certain Persons therein mentioned, to be Witnesses; was read a second Time; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill, intituled, *An Act to oblige the County of Caroline, to reimburse William Woodford the Damages he sustain'd, by Means of the Escape of Benjamin Fletcher*, was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act to confirm certain entail'd Lands therein mentioned, with the Appurtenances, to John Tayloe, Esq; in Fee-Simple; and for settling other Lands and Negros therein also mentioned, of greater Value, in Lieu thereof, to the same Uses*; was read a third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Conway* do carry the Bills to the Council; and desire their Concurrence.

A Bill, intituled, *An Act for vesting certain entail'd Lands, with the Appurtenances, in the County of Northampton, in Gertrude Harmanfon, in Fee-Simple; and for settling*
other

other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses; was read a third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for settling new Ferries over James, Appamatox, Nottoway, Rappahanock, and Pattowmack Rivers*, was read a third Time.

And an Amendment was made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Attorney-General*, do carry the Bills to the Council; and desire their Concurrence.

Mr *Attorney-General* presented to the House (according to Order) a Bill to restrain the keeping too great a Number of Horses, and Mares; and for Amending the Breed thereof; and to prevent unbroke Horses and Mares, and breeding Mares from going at large in uninclosed Grounds: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House (according to Order) proceeded to the further Consideration of the Bill, to amend the Act, *for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*.

And several other Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed: And that the Title of the Bill be, *An Act to Amend and Explain the Act, for Amending the Staple of Tobacco; and for Preventing Frauds in His Majesty's Customs*.

A Message from the Council:

That they have agreed to the Bill, intituled, An Act to enable and oblige the Parish of St. George, in Spotsylvania County, to refund and pay back to the Parish of St. Mark, in the County aforesaid, the Tobacco therein mentioned.

Also to the Bill, intituled, An Act for Altering the Place for holding Courts, in the County of Spotsylvania, without any Amendment.

Ordered, That the Consideration of the Report of the Committee of Propositions and Grievances, put off 'til to Day, be further put off 'til To-morrow.

Ordered, That Mr *Boush* have Leave to be absent from the Service of the House, for a Week; and Mr *Walke* for a Fortnight.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Saturday, June 17, 1732.

Mr. *Fox* presented to the House (according to Order) a Bill to restrain the Inhabitants of the Town of *Delaware*, from keeping too great a Number of Cattle, Horses, and Sheep, or any Hogs running at large: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That Mr *Power* have Leave to be absent from the Service of the House 'til *Wednesday* next.

The House (according to Order) proceeded to take into Consideration, the Report of the Committee of Propositions and Grievances: And thereupon,

Ordered, That a Bill be brought in, to join some Parts of the Counties of *Surry*, and *Isle of Wight*, to the County of *Brunswick*: And that the Committee of Propositions and Grievances, do prepare and bring in the same.

Ordered, That Mr *Randolph* have Leave to be absent from the Service of the House 'til *Tuesday* next.

A Bill, intituled, *An Act to enable Thomas Bray, Gent. to sell certain entail'd Lands therein mentioned; and to lay out the Purchase-Money in Slaves, to be annex'd to other entail'd Lands, therein also mention'd*; was read a third Time.

Resolved,

Resolved, Nemine Contradicente, That the Bill do pass.

A Bill, intituled, *An Act for settling some Doubts and Differences of Opinion, in Relation to the Benefit of Clergy; for allowing the same to Women, and taking away of Reading; and to disable certain Persons therein mentioned, to be Witneffes;* was read a third Time.

Resolved, That the Bill do pass.

Ordered, That the Committee for Courts of Justice do carry the Bills to the Council; and desire their Concurrence.

A Bill to restrain the keeping too great a Number of Horses and Mares; and for Amending the Breed thereof; and to prevent unbroke Horses and Mares, and breeding Mares from going at large, in unclofed Grounds; was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill to Revive and Continue certain Parts of an Act, intituled, *An Act for ascertaining the Fees of certain Officers;* and for better settling the Fees of County Court Clerks and Sheriffs, and of Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs; was read a second Time; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

Mr Attorney-General acquainted the House, That by the Laws now in Force, no adequate Punishment is inflicted on Persons clandestinely taking away of Slaves; that he had prepared a Bill, to make the Taking of Slaves unlawfully, Felony, without Benefit of Clergy; which he desired the House would receive:

And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the House be adjourn'd 'til Monday Morning Eleven a Clock.

Monday, June 19, 1732.

A Bill to restrain the Inhabitants of the Town of *Delaware*, from keeping too great a Number of Cattle, Horses, and Sheep, or any Hogs running at large, was read a second Time; and several Amendments were made to the Body of the Bill, and an Amendment was made to the Title of the Bill.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill to make the Taking of Slaves unlawfully, Felony, without the Benefit of Clergy, was read a second Time.

Ordered, That a Bill be committed to a Committee of the following Persons: Mr Attorney-General, Mr Burges, Mr Tayloe, Mr Lee, Mr Blair, Mr Robert Bolling, Mr Meriwether, Mr Conway, Mr Braxton, Mr Eskridge, and Mr Martin.

A Message from the Council:

That they have agreed to the Bill, intituled, An Act to confirm certain entail'd Lands therein mentioned, with the Appurtenances, to John Tayloe, Esq; in Fee-Simple; and for settling other Lands and Negroes therein also mentioned, of greater Value, in Lieu thereof, to the same Uses.

Also to the Bill, intituled, An Act for confirming certain entail'd Lands therein mention'd, to William Meriwether, in Fee-Simple; and for settling other Lands and Negroes, in Lieu thereof, to the same Uses.

Also to the Bill, intituled, An Act to enable Charles Barham, to sell certain entail'd Lands therein mention'd; and to purchase other Lands therein also mention'd, in Lieu thereof, to the same Uses.

Also to the Bill, intituled, An Act for vesting certain entail'd Lands, in John Allen, Gent. in Fee-Simple; and for settling other Lands and a Mill, of greater Value, to the same Uses.

Also

Also to the Bill, intituled, An Act to settle certain entail'd Lands, with the Appurtenances, in the County of Effex, whereof William Louny and Mary his Wife, in Right of the said Mary, are seized, upon the Issue of the said Mary, by her last Marriage; and for settling other Lands, in Lieu thereof, to the same Uses.

Also to the Bill, intituled, An Act for pulling down Wooden Chimneys, in the Towns of Southampton and Norfolk; and to prevent the Building of others for the future.

Also to the Bill, intituled, An Act for Altering the Days for holding the Courts of Richmond and Westmorland Counties, without any Amendment.

Mr Robert Bolling, acquainted the House, That the Persons appointed, having had under their further Consideration, the Treasurer's Accounts, and found a Blank therein, for an Allowance to the Printer, for printing several Things, for the Use of the Tobacco Inspectors, he desired the Direction of the House therein: And the Account of the Printer was read; and upon the Question,

Ordered, That it be an Instruction to the Gentlemen appointed to examine the Treasurer's Accounts, to allow for that Article, Sixty Two Pounds Twelve Shillings and Six Pence.

A Bill, intituled, An Act to restrain the keeping too great a Number of Horses, and Mares; and for Amending the Breed thereof; and to prevent unbroke Horses and Mares, and breeding Mares, from going at large in uninclosed Grounds; was read the third Time.

And after a Debate, the Question was put, That the Bill do pass?

Resolved, In the Affirmative.

A Bill, intituled, An Act for vesting certain entail'd Lands, with the Appurtenances, therein mention'd, in Thomas Turner in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Attorney-General do carry the Bills to the Council; and desire their Concurrence.

Mr Attorney-General, acquainted the House, That Col. Spotswood, had desired him to inform them, That he was willing to send by the first Opportunity for Arms and Ammunition, for the County of Brunswick, to the Value of Two Hundred and Thirty Nine Pounds Seventeen Shillings, remaining in his Hands for that Purpose.

Resolved, That this House is satisfied with the Engagement of the said Col. Spotswood.

Ordered, That the said Arms and Ammunition, be directed to be put on board some Ship coming into James River, and delivered to Henry Harrison, Esq; Lieutenant of the County of Brunswick.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Tuesday, June 20, 1732.

MR. Robert Bolling reported, That the Persons appointed, had (according to Order) examined the Treasurer's Accounts; and that the Ballance remaining in his Hands, was Four Thousand Six Hundred and Nineteen Pounds Five Shillings and a Half Penny.

Resolved, That the said Accounts do pass.

Ordered, That Mr Robert Bolling do carry the same to the Council; and desire their Concurrence.

Mr Ewell moved for Leave to present a Bill, for continuing *An Act for Killing Squirrels and Crows, in the Counties of Accomack and Northampton*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House being informed, That the Church of the Parish of St. Mark, in the County of Spotylvania, which was built at the Public Charge, was lately burnt; and that there was good Reason to suspect it to have been wilfully and maliciously done:

A Motion was made, and the Question put, That a Reward be given to any Person, who shall discover the Person or Persons who committed that Fact?

Resolved, That the Reward of one Hundred Pounds be given out of the Public Money, in the Hands of the Treasurer, to any Person who shall discover and convict the Person or Persons who burnt the Parish Church of *St. Mark*, in the County of *Spotsylvania*.

Ordered, That Mr *Lee* do carry the said Resolve to the Council; and desire their Concurrence.

Resolved, That an Address be made to the Governor, to desire Him to issue a Proclamation, offering a Reward of One Hundred Pounds, to any Person who shall discover and convict the Person or Persons who are guilty of Burning the said Church: And to promise His Majesty's Pardon to such Discoverer, except the Principal Offender.

Ordered, That Mr *Lee*, Mr *Francis Willis*, Mr *Henry Willis*, Mr *Blair*, Mr *Attorney-General*, and Mr *Tayloe*, do wait on the Governor, with the said Address.

A Bill, intituled, *An Act to amend and explain the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; was read the third Time.

And an Amendment was made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That the Committee of Propositions and Grievances do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act to confirm and establish an Agreement, between Richard Coleman, William Thornton, and Francis Thornton, for the Exchange of certain entail'd Lands therein mention'd; and for settling the same, with certain Negro Slaves, according to the Will of the Donors*; was read the Third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Francis Willis* do carry the Bill to the Council; and desire their Concurrence.

A Motion being made, That the House would take some Measures, to represent to the Parliament of *Great-Britain*, the miserable State of the Tobacco Trade; and to induce them to establish some better Methods of Securing and Collecting the Duties upon Tobacco, for preventing the notorious Frauds which have long subsisted, and occasion'd the intolerable Hardships that Trade at present labours under:

A Debate arose; and thereupon,

Resolved, That a Petition be made, to the Honourable the Knights, Citizens, and Burgeffes, of the Parliament of *Great-Britain*, to put Tobacco under an Excise.

Ordered, That a Committee be appointed to draw up the said Petition: And it is referr'd to Mr *Lee*, Mr *Conway*, Mr *Tayloe*, Mr *Burges*, Mr *Robinson*, Mr *Randolph*, Mr *Meriwether*, Mr *Francis Willis*, Mr *Henry Willis*, Mr *Martin*, and Mr *Fleming*.

A Bill, intituled, *An Act to enable Robert Carter, Esq; one of the Executors of the last Will and Testament of Mann Page, Esq; deceased, to pay the Debts of the said Mann Page; and to entitle him to receive Interest for the Money he hath advanced or shall advance for that Purpose; and to charge the Estate of the said Mann Page, with the Repayment of the Principal and Interest*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Eskridge* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act to restrain the Inhabitants of the Town of Delaware, from keeping too great a Number of Cattle, and Horses; and from keeping any Sheep or Hogs, running at large*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Fox* do carry the Bill to the Council; and desire their Concurrence.

Mr *Attorney-General* presented to the House (according to Order) a Bill for adding Part of the Counties of *Surry*, and *Isle of Wight*, unto the County of *Brunswick*, and

Part

Part of the Parishes of *Lawne's-Creek Southwark*, and *Warwicksqueak*, in the said Counties of *Surry*, and *Isle of Wight*, unto the Parish of *St. Andrew*, in the said County of *Brunswick*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Attorney-General reported, from the Committee to whom the Bill for dividing every of the Counties of *Richmond*, *King George*, and *Prince William*, into two distinct Parishes, several Amendments made by the Committee to the Bill, which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed unto by the House.

And a further Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered, That *Mr Burges* have Leave to be absent from the Service of the House for a Week.

Ordered, That the House be adjourn'd 'till To-morrow Morning Eleven a Clock.

Wednesday, June 21, 1732.

A Bill to continue *An Act for Killing Squirrels and Crows, in the Counties of Accomack, and Northampton*, was read a second Time.

Ordered, That the Bill be ingrossed.

A Bill for adding Part of the Counties of *Surry*, and *Isle of Wight*, unto the County of *Brunswick*; and Part of the Parishes of *Lawne's-Creek Southwark*, and *Warwicksqueak*, in the said Counties of *Surry*, and *Isle of Wight*, unto the Parish of *St. Andrew*, in the said County of *Brunswick*, was read a second Time.

And an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

A Bill, intituled, *An Act to revive and continue certain Parts of an Act, intituled, An Act for ascertaining the Fees of certain Officers; and for better settling the Fees of County Court Clerks and Sheriffs, and of Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs*; was read the third Time. And a Word was alter'd in the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That *Mr Tayloe* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act for dividing every of the Counties of Richmond, King George, and Prince William, into two distinct Parishes*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Attorney-General* do carry the Bill to the Council; and desire their Concurrence.

Mr Attorney-General reported, from the Committee to whom the Bill to make the taking of Slaves unlawfully, Felony, without Benefit of Clergy, was committed, several Amendments made by the Committee to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read, and agreed to by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

The House, upon a Motion, proceeded to take into Consideration the Book of Claims, and Part of the Book was read.

Ordered, That the further Consideration of the Book of Claims, be adjourn'd 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Thursday,

Thursday, June 22, 1732.

MR. Lee presented to the House (according to Order) a Bill to explain the Duty of Surveyors, and prevent their unlawful Fees; and for better securing the Payment of Surveyors Fees: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Message from the Council:

That they have agreed to the Bill, intituled, An Act for settling some Doubts and Differences of Opinion, in Relation to the Benefit of Clergy; for allowing the same to Women, and taking away of Reading; and to disable certain Persons therein mentioned, to be Witnesses.

Also to the Bill, intituled, An Act to enable Thomas Bray, Gent. to sell certain entail'd Lands therein mention'd; and to lay out the Purchase-Money in Slaves, to be annex'd to other entail'd Lands, therein also mention'd.

Also to the Bill, intituled, An Act for vesting certain entail'd Lands, with the Appurtenances, in the County of Northampton, in Gertrude Harmanfon in Fee-Simple; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses; without any Amendment.

And that they have made several Amendments to the Bill, intituled, An Act prescribing the Method for Proving Book Debts.

And also to the Bill, intituled, An Act for settling new Ferries over James, Appamatow, Nottoway, Rappahanock, and Pattowmack Rivers; to which they desire the Concurrence of this House.

That they have likewise agreed to the Resolves, for settling a Yearly Salary on Mr William Parks, Printer; and for paying George Webb One Hundred Pounds.

The several Petitions following, were presented to the House, and read, viz.

A Petition of Robert Spotswood, John Chew, and John Lightfoot, Tobacco Inspectors at the Public Warehouses at Falmouth, in the County of King George; setting forth, That one of the said Warehouses was lately burnt, and it is supposed wilfully and maliciously; that a great Quantity of Tobacco, for which they had passed Notes, was burnt in that House: And praying the Consideration of the House therein.

Also the several Petitions, of Robert Jones, John Paterson, James Jones, John Courtney, Robert Sturdy, William Bethell, and Thomas Wood; setting forth, That they had carried several Hogheads of Tobacco to the said Warehouse to be inspected; that the same was burnt in the House, before the Inspectors could view it: And praying such Relief, as the House shall think fit.

Ordered, That the said Petitions be referr'd to the Consideration of the Committee for Public Claims; and that they do examine the Matter thereof, and report the same, with their Opinions thereupon, to the House.

The House proceeded to the further Consideration of the Book of Claims; and several Mistakes being found therein,

Ordered, That the Book be committed.

Then the House proceeded to take into Consideration, the Amendments made by the Council, to the Bill, intituled, *An Act prescribing the Method for Proving Book Debts.*

And to the Bill, intituled, *An Act for settling new Ferries over James, Appamatow, Nottoway, Rappahanock, and Pattowmack Rivers.*

And the Amendments were severally read, and agreed to, by the House.

Ordered, That Mr Attorney-General do carry the Bills to the Council; and acquaint them, That this House hath agreed to the Amendments by them made, to the same.

A Bill, intituled, *An Act for adding Part of the Counties of Surry, and Isle of Wight, unto the County of Brunswick, and Part of the Parishes of Lawne's-Creek, Southwark,*
and

and Warwickfqueak, in the Counties of Surry, and Ifle of Wight, unto the Pariſh of St. Andrew, in the County of Brunfwick, was read the third Time.

Reſolved, That the Bill do paſs.

A Bill, intituled, *An Act to continue An Act for Killing Squirrels and Crows, in the Counties of Accomack, and Northampton*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr Fox do carry do carry [*ſic*] the Bills to the Council; and deſire their Concurrence.

A Bill, intituled, *An Act to make the Stealing of Slaves Felony, without Benefit of Clergy*, was read the third Time.

Reſolved, *Nemine Contradicente*, That the Bill do paſs.

Ordered, That Mr Attorney-General do carry the Bill to the Council; and deſire their Concurrence.

Mr Speaker acquainted the Houſe, That he was directed to lay before the Houſe, ſeveral Papers relating to divers Tranſactions in *Great-Britain*, concerning this Colony, and the other Plantations in *America*; and the ſame were read.

Ordered, That the Houſe be adjourn'd 'til To-morrow Morning Eleven a Clock.

Friday, June 23, 1732.

MR. Lee reported, That the Perſons appointed, had (according to Order) waited upon the Governor with an Addreſs, That he would be pleaſed to iſſue His Proclamation, promiſing a Reward and Pardon, for diſcovering the Perſons, who burnt the Pariſh Church of St. Mark, in the County of *Spotsylvania*:

And that He was pleaſed to ſay, *He would iſſue His Proclamation accordingly.*

Mr Lee alſo reported, That the Perſons appointed, had (according to Order) alſo waited upon the Governor, to deſire Him, to cauſe the Seal of the Colony, to be fixed to a copy of the Petition of this Houſe, at the laſt Seſſion, to the King in Council, in Relation to the *Northern-Neck* Grant; and to a Duplicate thereof; and to tranſmit the ſame; and to procure one of them to be preſented to His Majeſty:

And that he was likewiſe pleaſed to ſay, *That the Seal ſhould be fixed to ſuch Copy and Duplicate; and that the ſame ſhould be tranſmitted, as was deſired.*

A Bill to explain the Duty of Surveyors, and prevent their taking unlawful Fees; and for better ſecuring the Paiment of Surveyors Fees; was read a ſecond Time:

And a Blank was filled up in the Bill; and ſeveral Amendments were made to the ſame at the Table.

Ordered, That the Bill, with the Amendments, be ingroſſed.

Mr Robert Bolling reported, from the Committee of Public Claims, That they had examined the ſeveral Miſtakes in the Book of Claims, and rectified the ſame: And having examined the Matter of the ſeveral Petitions, to them referr'd Yeſterday, had agreed upon a Report, which they had infered in the ſaid Book; and he delivered the Book in at the Table.

And the Houſe proceeded to take the ſame into Conſideration; and ſome Amendments were made therein, by the Houſe.

Ordered, That the further Conſideration of the Book of Claims be adjourn'd 'til To-morrow.

A Meſſage from the Council:

That they have agreed to the Bill, intituled, An Act to enable Robert Carter, Eſq; One of the Executors of the laſt Will and Teſtament of Mann Page, Eſq; deceased, to pay the Debts of the ſaid Mann Page; and to entitle him to receive Intereſt for the Money he hath advanced, or ſhall advance for that Purpoſe; and to charge the Eſtate of the ſaid Mann Page, with the Repaiment of the Principal and Intereſt.

And

And also to the Bill, intituled, An Act to confirm and establish an Agreement, between Richard Coleman, William Thornton, and Francis Thornton, for the Exchange of certain entail'd Lands, therein mentioned; and for settling the same, with certain Negro Slaves, according to the Will of the Donors.

And also to the Bill, intituled, An Act for vesting certain entail'd Lands, with the Appurtenances, therein mentioned, in Thomas Turner, in Fee-Simple; and for settling other Lands and Negroes, of greater Value, to the same Uses.

And also to the Bill, intituled, An Act to restrain the Inhabitants of the Town of Delaware, from keeping too great a Number of Cattle, and Horses; and from keeping any Sheep, or Hogs, running at large; without any Amendment.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Saturday, June 24, 1732.

MR. Conway moved for Leave to present to the House, a Bill for lessening the Reward for killing of Wolves: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

And the same was read accordingly.

Ordered, That the Bill be committed to a Committee of the following Persons: Mr Conway, Mr Robinson, Mr Lee, Mr Francis Willis, Mr Attorney-General, Mr McCarty, Mr Braxton, and Mr Strother.

Mr Lee reported, from the Committee for Courts of Justice, That upon further Enquiry into the Temporary Laws, they find, *An Act for making more effectual Provision against Invasions and Insurrections*, will shortly Expire.

And that they had prepared a Bill, to continue the same; which he presented to the House: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

And the same was read accordingly, and ordered to be ingrossed.

A Bill, intituled, *An Act to explain the Duty of Surveyors, to prevent their taking unlawful Fees; and for better securing the Payment of Surveyors Fees*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That the Committee for Courts of Justice, do carry the Bill to the Council; and desire their Concurrence.

Mr Attorney-General presented to the House (according to Order) a Bill to restrain the ill Usage of Slaves, held by Tenants for Life: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act to continue the Act for more effectual Provision against Invasions and Insurrections*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That the Committee for Courts of Justice, do carry the Bill to the Council; and desire their Concurrence.

A Motion being made, That a Reward be given to any Person, who shall discover the Person, or Persons, who burnt the Public Warehouse at *Falmouth*.

The Question was put, That such a Reward be given?

Resolved, In the Affirmative.

Resolved, That the Reward of One Hundred Pounds, be given out of the Public Money, in the Hands of the Treasurer, to any Person who shall discover and convict the Person, or Persons, who burnt the Public Warehouse at Falmouth.

Ordered, That Mr Lee do carry the said Resolve to the Council; and desire their Concurrence.

Resolved,

Resolved, That an Address be made to the Governor, to desire Him to issue a Proclamation, promising the said Reward of One Hundred Pounds, to any Person, who shall discover and convict the Person, or Persons, who are guilty of Burning the said Warehouse; together with His Majesty's gracious Pardon, to such Discoverer, except the Principal Offender.

Ordered, That Mr Lee, Mr Francis Willis, Mr Henry Willis, Mr Blair, Mr Attorney-General, and Mr Tayloe, do wait on the Governor, with the said Address.

A Message from the Council:

That they have made some Amendments to the Bill, intituled, An Act to amend and explain the Act for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs; *to which they desire the Concurrence of this House.*

The House resumed the further Consideration of the Book of Claims; and another Part thereof was read, and agreed to, by the House.

Ordered, That the further Consideration of the Book, be adjourn'd 'til *Monday*.

Ordered, That the House be adjourn'd 'til *Monday Morning Eleven a Clock.*

Monday, June 26, 1732.

A Motion being made to the House, to consider the Claims of the Tobacco-Inspectors, for keeping People to watch the Public Warehouses,

Resolved, That it is the Opinion of this House, That the said Inspectors, ought to apply to the Governor and Council, to be reimbursed their Expences, in watching the Public Warehouses; out of the Revenue of Two Shillings a Hoghead upon Tobacco, being a contingent Charge of the Government.

The House resumed the further Consideration of the Book of Claims; and another Part of the Book was read, and one Article was disagreed to, and several Alterations made therein.

Ordered, That the further Consideration of the Book, be adjourn'd 'til To-morrow.

A Message from the Council:

That they have made several Amendments to the Bill, intituled, An Act to revive and continue certain Parts of an Act, for ascertaining the Fees of certain Officers; and for better settling the Fees of County Court Clerks, and Sherifs; and of Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs.

Also to the Bill, for dividing every of the Counties of *Richmond, King George*, and *Prince William*, into Two distinct Parishes; *to which they desire the Concurrence of this House.*

And that they have agreed to the Bill, intituled, An Act to make the Stealing of Slaves, Felony, without Benefit of Clergy.

Also to the Bill, intituled, An Act to oblige the County of *Caroline*, to reimburse *William Woodford*, the Damages he sustained by Means of the Escape of *Benjamin Fletcher*.

Also to the Bill, intituled, An Act to continue the Act, for making more effectual Provision against Invasions and Insurrections; *without any Amendment.*

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Tuesday, June 27, 1732.

ORDERED, That Mr *McCarthy* have Leave to go Home for Recovery of his Health.

The House resumed the Consideration of the Book of Claims, and went thro' it; and several Articles were disagreed to; and the rest of the Book was agreed to, by the House.

Then a Memorial of Mr Secretary *Carter*, was presented to the House, and read; desiring an Allowance to be made for Fire-Wood for his Office:

And

And after a Debate, the Question was put, That an Allowance be made, according to the Prayer of the Memorial.

It passed in the Negative.

A written Message from the Governor, was delivered by Mr *Robertson*, as follows:

Mr. Speaker, and Gentlemen of the House of Burgeffes,

UPON the repeated Advices, of the Burning of divers of the Public Warehouses in the Northern-Neck, I did, with the Advice of the Council, direct the Inspectors to appoint Persons they could best confide in, to keep Watch at the respective Warehouses throughout the Colony, to prevent the like Mischiefs for the future: And since this Precaution was very necessary, and intended to save a much greater Charge, which, without it, might have fallen upon the Public, by the destroying of more of those Houses, besides preventing the Loss which thereby might have fallen on the Owners of the Tobacco; I doubt not you will think it reasonable to discharge the Allowances to those Watches, amongst the other incident Charges arising on the Execution of the Tobacco Law. And when you consider, how easy it is, for any evil disposed Person, to break and rob any of those Houses, and afterwards to set them on Fire, on Purpose to conceal that Felony, I am persuaded you will be induced to continue the like Guard hereafter, with such reasonable Reward, as may enable the Inspectors to provide honest and diligent Men for that Service.

June 27th, 1732.

WILLIAM GOOCH.

Ordered, That the same do lie upon the Table, for the Perusal of the Members.

Ordered, That the several Sums following be paid to the several Officers of the General Assembly, respectively:

	l.	s.	d.
To Mr <i>John Randolph</i> , Clerk of the House of Burgeffes, for his usual Salary,	100	0	0
To the said Clerk, for his further Allowance,	50	0	0
To the said Clerk, for Copies of the Laws, and Journals, to be transmitted to <i>England</i> ,	25	0	0
To the said Clerk, for finding Books, Paper, and Parchment, for Six Sessions, at Five Pounds a Session,	30	0	0
To Mr <i>William Robertson</i> , Clerk of the Council, his usual Salary for this Session,	50	0	0
To the said Clerk, for Copies of the Journal of Council, to be transmitted to <i>England</i> ,	10	0	0
To Mr <i>Matthew Kemp</i> , Clerk of the Committee of Propositions and Grievances,	40	0	0
To Mr <i>Benjamin Needler</i> , Clerk of the Committee for Courts of Justice,	40	0	0
To Mr <i>Miles Cary</i> , Clerk of the Committee of Public Claims,	40	0	0
To Mr <i>Philip Finch</i> , Serjeant at Arms,	50	0	0
To Mr <i>Francis Fountain</i> , Chaplain,	20	0	0
To the Door-keeper of the Council,	10	0	0
To <i>Nicholas Wager</i> ,	10	0	0
<i>John Mundel</i> ,	7	10	0
<i>William Francis</i> ,	7	10	0
<i>William Johnson</i> ,	7	10	0
Door-keepers,	32	10	0

Ordered, That the said Allowances be inserted in the Book of Claims.

Ordered, That the Committee for Public Claims carry the Book to the Council, for their Concurrence.

Mr *Lee* reported, That the Persons appointed, had (according to Order) waited on the Governor, to desire Him to issue His Proclamation, promising a Reward, and Pardon, to any Person who should discover and convict the Person, or Persons, who are guilty of Burning the Public Warehouse at *Falmouth*, except the principal Offender.

And

And that he was pleased to say, *He would issue His Proclamation, as was desired.*

Mr Lee also reported, That the Persons appointed, had (according to Order) drawn up a Petition, to be presented to the Parliament of *Great-Britain*; complaining of many Hardships and Oppressions the Tobacco Trade now labours under; and praying Relief therein: Which they had directed him to report to the House, when the House would to please receive it:

And the same was received, and read, and agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House desire their Concurrence to the said Petition; and that the same shall be delivered to them at a Conference: That this House will appoint Six of their Members, to meet such of the Members of the Council as shall be appointed, at an immediate Conference, upon the Subject Matter of the said Petition.

Ordered, That Mr Lee go up with the Message.

And a Message was delivered from the Council:

That they do agree to an immediate Conference, upon the Subject Matter of the Petition to the Parliament; and have appointed Three of their Members, who are now ready to meet the Managers of this House.

Ordered, That Mr Lee, Mr Conway, Mr Tayloe, Mr Robinson, Mr Randolph, and Mr Meriwether, do forthwith withdraw, and attend the Conference with the Council:

And they withdrew accordingly; and being returned,

Mr Lee reported, That the Persons appointed, had (according to Order) met the Conferees of the Council, and delivered the Petition to them; which they received, and said, They must consider it: But desired to know, if this House would admit of any Amendments? To which the Managers of this House answered, That they had no Instructions about that Matter.

Mr Conway reported, from the Committee to whom the Bill for lessening the Reward for Killing of Wolves, was committed; several Amendments made by the Committee, to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table:

And the Amendments were again twice read; and with some Amendments, were agreed unto, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

The House proceeded to take into Consideration the Amendments made by the Council, to the Bill, intituled, *An Act to amend and explain the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; and the same were severally twice read; and some of them were agreed to, with an Amendment to one of them, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House hath agreed to all the Amendments by them made to the said Bill, with an Amendment to one of them, except those marked in the Margin of their Amendments, to be disagreed to:

And that Mr Attorney-General do go up with the Message.

A Message from the Council:

That they have made some Amendments to the Book of Claims; to which they desire the Concurrence of this House.

And the Amendments were read.

Resolved, That it is the Opinion of this House, That the Fees of the Attorney-General, and Clerk of the General-Court, arising upon the Prosecution of Criminals, ought not to be paid out of the Revenue upon Liquors, in the Hands of the Treasurer.

Ordered, That a Message be sent to the Council, to acquaint them with the said Resolution; and that the Committee for Publick Claims do go up with the Message.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday,

Wednesday, June 28, 1732.

A Bill to restrain the ill Usage of Slaves, held by Tenants for Life, was read a second Time: And after a Debate, several Amendments were made, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

An ingrossed Bill, for lessening the Reward for Killing young Wolves; and for preventing Frauds in obtaining Certificates for Wolves Heads; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Conway do carry the Bill to the Council; and desire their Concurrence.

The House proceeded to take into Consideration, the Amendments made by the Council, to the Bill, intituled, *An Act for dividing every of the Counties of Richmond, King George, and Prince William, into Two distinct Parishes*:

And the same were severally twice read, and agreed to by the House.

The House also proceeded to take into Consideration, the Bill, intituled, *An Act to revive and continue certain Parts of an Act, for ascertaining the Fees of certain Officers; and for better settling the Fees of County Court Clerks, and Sheriffs; and of Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs*:

And the same were severally twice read, and agreed to by the House.

Ordered, That Mr Blair do acquaint the Council, That the House hath agreed to the Amendments by them made to the said Bills.

A Message was delivered from the Council:

That they had had under their Consideration, the Report of their Managers, from the Conference Yesterday; and that they desired another Conference upon the subject Matter of that Conference, and had appointed the same Managers; who are now ready to meet the Managers of this House.

Ordered, That the Managers who were appointed to manage the Conference Yesterday, do forthwith withdraw, and attend the Conference desired by the Council:

And they withdrew; and being returned,

Mr Lee reported, That the Managers of the Council, had acquainted the Managers of this House, That they proposed to make several Amendments to the Draught of the Petition delivered to them Yesterday; That they thought it necessary, that His Majesty should be addressed on the subject Matter of the said Petition; and that it will be fit, that Application be made to the Right Honourable the Lords Commissioners of the Treasury, for their Favour and Assistance: And that the Council desired to be informed from this House, of the Manner they propose to have the Petition presented, and negotiated:

And he delivered the Amendments, and the Petition, in at the Table.

And the said Amendments were severally read; and several of them were disagreed to, and the rest were agreed to, by the House.

Resolved, That John Randolph, Esq; be appointed Agent for this Colony, to negotiate the Affairs of the Colony, in Great-Britain: And that the Sum of Two Thousand Two Hundred Pounds, be paid to him, out of the Money in the Hands of the Treasurer, to defray his Expences; and for a Reward for his Trouble, and the taking so long a Voyage.

Ordered, That the Managers do withdraw, and acquaint the Managers of the Council with what this House have done, upon the Report from the Conference; and desire their Concurrence to the said Resolve:

And they withdrew accordingly.

A Message from the Council:

That they do recede from the Amendments by them made to the Bill, intituled, An Act to amend and explain the Act, for amending the Staple of Tobacco; and for preventing Frauds

Frauds in His Majesty's Customs; *which were disagreed to by the House; and have passed the Bill, with the Amendments agreed to.*

And that they do likewise recede from the Amendments by them made to the Book of Claims.

And that they have passed the Treasurer's Accounts.

Mr Lee reported, from the Conference, That the Managers had delivered, to the Managers of the Council, what they were instructed to acquaint them with: And that thereupon they retired to the Council-Chamber, to make Report thereof to the Council.

Ordered, That a Committee for Proportioning the Public Levy, be appointed of the following Persons: Mr *Eskridge*, Mr *Robert Bolling*, Mr *Henry Willis*, Mr *Fleming*, Mr *Robinson*, and Mr *Price*.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Thursday, June 29, 1732.

AN Ingrossed Bill, *to restrain the ill Usage of Slaves, held by Tenants for Life*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Tayloe* do carry the Bill to the Council; and desire their Concurrence.

The House being informed, That the Order of this House made the first Day of *July*, 1730, for settling the Bounds between several Parishes, in the Counties of *Northumberland*, and *Lancaster*, was not effected:

Ordered, That Mr *James Ball*, Mr *Charles Burges*, of the County of *Lancaster*, Mr *Charles Lee*, Mr *John Steptoe*, of the County of *Northumberland*, and Mr *John Woodbridge*, of the County of *Richmond*, do meet at some convenient Time as shall be agreed upon between them, and lay out the Bounds between the Parish of *Wickocomico*, in the County of *Northumberland*, and the Parishes in the County of *Lancaster*, adjoining to that Parish; pursuant to the Order of this House, made the Sixteenth Day of *March*, 1727; and in Case they should not all meet, the Majority of them may proceed: And that they do report their Proceedings therein, to the next Session of Assembly.

A Motion was made, for paying the Burgesses serving for several Corporations, out of the Public Money in the Hands of the Treasurer:

And the Act of the last Session of Assembly, *for the better Regulating the Payment of the Burgesses Wages*, was read,

And a Debate arose; and the Question being put thereupon,

It passed in the Negative.

Mr *Lee* reported, That the Managers of the Council, had had a further Conference with the Managers appointed by this House, upon the subject Matter of the Petition to the Parliament; and that they had directed him to acquaint the House, that the Council do concur to the said Petition, with the Amendments agreed upon by this House: And that they have also agreed to the Resolve, for appointing *John Randolph*, Esq; Agent for this Colony; and for paying him the sum of Two Thousand Two Hundred Pounds. And that he was further directed to inform the House, That the Council wou'd prepare an Address to the King, and a Letter to the Lords of the Treasury; which they wou'd send to this House for their Concurrence: And he delivered the Petition and Resolve in at the Table.

Ordered, That the Petition be fairly transcribed.

The House proceeded to take into Consideration the written Message from the Governor; and the same was read.

And Part of an Act made in the Year 1710, *for raising a Public Revenue*, was read.

A Debate arose, and the Question was put,

Resolved,

Resolved, That the Expence of Watching the Warehoufes, ought to be paid out of the Revenue of Two Shillings a Hogfhead, as a contingent Charge of the Government, fo long as the fame fhall be fufficient.

Resolved, That an Addrefs be drawn up, to the Governor, to give Him Reafons, why the Houfe cannot concur with Him in the Matter propofed in the faid Meffage.

Ordered, That M^r Blair, M^r Conway, M^r Francis Willis, M^r Robinfon, M^r Braxton, and M^r Ravenscroft, do forthwith withdraw, and prepare the faid Addrefs.

A written Meffage was delivered from the Council, as follows:

M^r Speaker, and Gentlemen of the Houfe of Burgeffes,

The Council having had under their Confideration, a Petition of Major Auguftine Smith, representing the great Lofs he fufained, by the accidental Blowing up of the Magazine of Powder, for the County of Spotfylvania, fome years ago, whereby a Negro Woman of his was killed, and his Dwelling Houfe destroy'd; think it neceffary to inform your Houfe, That as the placing that Magazine under his Charge, was not his own Choice, but impof'd on him as the Chief Officer of the Militia then in that County; and that the Arms and Ammunition therein, was the Gift of the General Affembly, defign'd for the Service of the Inhabitants, no Perfon could be more fit to diftribute them to the People, than he who had the Command of the County: It is therefore the more juft and reasonable, that he fhould be recompenced for any Lofs he fuftain'd in the Difcharge of his Duty. And though this cannot properly come under the Denomination of any of thofe Public Charges directed by Law to be put into the Book of Claims, yet the Council conceive, the Hands of your Houfe are not fo far tied up, as to hinder you from exerting your Generofity to thofe who merit the fame, or your Compaffion to fuch as fuffer in the Public Service: And therefore, they very earneftly recommend M^r Smith's Cafe to your Confideration, that he may be reimbursed what he hath really fuffered, in the Lofs of his Houfe and Negro Slave aforefaid.

The keeping of Fires in the Secretary's Office, during the cold Season of the Year, is fo neceffary for the Prefervation of the Public Records, and fo ufeful to the Judges and Officers of the General Court, and Court of Oyer and Terminer, that the Council conceive the fupplying that Office with Fuel, ought to be defray'd at the Public Charge, as a Public Benefit accrues from it. And therefore they cannot but recommend to your Houfe, the Providing for that Expence hereafter, and the reimbursing M^r Secretary, who hath hitherto defray'd it out of his own Pocket.

By Order of the Council,

William Robertfon, Cl. G. A.

M^r Blair reported, That the Perfons appointed, had (according to Order) prepared the Addrefs to the Governor; which he delivered in at the Table, and was agreed to, as follows:

To the Honourable WILLIAM GOOCH, Efq; His Majesty's Lieutenant-Governor, and Commander in Chief, of the Colony of Virginia.

SIR,

“THE Houfe of Burgeffes having taken into Confideration Your written Meffage, “in Relation to the Charges lately brought upon the Government, for Watching the Public Tobacco Warehoufes, beg Leave to acquaint You, That as we have upon all Occafions fhew'd the greateft Deference that can be, to any “Thing You think fit to propofe, fo it is with all imaginable Reluctance, that we find “ourfelves under a Neceffity of not concurring with You in this Matter; altho' we muft “acknowledge the Prudence and Expedience of the Meafures which have occafion'd “thefe Charges. We perfuade ourfelves, when You are informed, that the Revenue “in the Hands of the Treafurer is now entirely exhausted, and that many great Sums “muft neceffarily be fupplied out of the Money that may be expected to be raifed by “the new Duty Acts, towards defraying feveral Expences of the Tobacco Law, which “are exprefly appointed to be made good by the General Affembly, You will be fatisfied, “that we have done our Duty, in referring thofe Claimants to be confidered by Your
“Honour,

"Honour, and the Council, and to be paid out of the Revenue of Two Shillings *per* "Hoghead; which we doubt not, is very able to do it. We hope we have not acted "herein, without a due Regard to the Tobacco Law, which expressly mentions every "Thing that can possibly be demanded of the General Assembly, in the Execution thereof; "and if this be not one of those, we presume it is as much a contingent Expence to the "Government, as any other that can be mentioned. The General Assembly has upon "some Occasions contributed to the Support of the Government, when the other Revenue was deficient; but we have never had any Assistance from thence, when our "Treasury has been empty: Therefore, we hope Your Honour will be pleased to consent what we have done in this Business, as proceeding from a just Sense of our Duty; "and not without the most sincere Respect and Deference to You, which You so well "deserve, in every Part of Your Administration.

Ordered, That the said Address be presented to the Governor, by the Persons who prepared it.

A Message from the Council:

That they have agreed to the Bill, intituled, An Act for lessening the Reward for killing young Wolves; and for preventing Frauds in obtaining Certificates for Wolves Heads.

And also to the Bill, intituled, An Act for adding Part of the Counties of *Surry*, and *Isle of Wight*, unto the County of *Brunswick*, and Part of the Parish of *Lawne's-Creek*, *Southwark*, and *Warwick-squeak*, in the said Counties of *Surry*, and *Isle of Wight*, unto the Parish of *St. Andrew*, in the said County of *Brunswick*; without any Amendment.

And that they have made several Amendments to the Bill, intituled, An Act to restrain the keeping too great a Number of Horses and Mares; and for amending the Breed thereof; and to prevent unbroke Horses and Mares from going at large; to which they desire the Concurrence of this House.

Then the House proceeded to take into Consideration the written Message from the Council; and the same being again read,

Resolved, That the Sum of Forty Pounds, out of the Public Money in the Hands of the Treasurer, be paid to Mr *Augustine Smith*, towards repairing the Loss he sustained, by the Blowing up of the Gunpowder committed to his Care, by the Order of the Government.

Ordered, That Mr *Francis Willis* do carry the Resolve to the Council, for their Concurrence.

Resolved, That no Allowance be made for defraying the Expence of Fewel in the Secretary's Office.

Then the House proceeded to take into Consideration the Amendments made by the Council to the Bill, intituled, *An Act to restrain the Keeping too great a Number of Horses and Mares; and for Amending the Breed thereof; and to prevent unbroke Horses and breeding Mares from going at large.*

And the same being read, were disagreed to, by the House.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Friday, June 30, 1732.

ORDERED, That a Committee be appointed to examine the inrolled Bills, of the following Persons: Mr *Robinson*, Mr *Thacker*, Mr *Muscoe*, Mr *Stith*, Mr *Randolph*, Mr *Fleming*, Mr *Eaton*, and Mr *Lee*.

Mr *Eskridge* reported, That the Persons appointed, had (according to Order) settled the Proportions of the Public Levy, and stated the same in a Book, which he delivered in at the Table; and the same was read, and agreed to.

Ordered, That Mr *Eskridge* do carry the Book to the Council, for their Concurrence.

Mr *Eskridge* presented to the House a Bill for Raising a Public Levy; which was received, and read the first Time.

Ordered,

Ordered, That the Bill be read a second Time.

And the same was read a second Time.

Ordered, That the Bill be ingrossed.

An ingrossed Bill for raising a Public Levy, was read the Third Time; and an Amendment was made to the Bill.

Resolved, That the Bill do pass.

Order'd, That Mr *Eskridge* do carry the Bill to the Council, for their Concurrence.

Mr *Randolph* reported, That the Managers of the Council had delivered to him an Address, agreed upon by them, to His Majesty, and a Letter to the Right Honourable the Lords of the Treasury; to which they desire the Concurrence of this House: And he delivered the same in at the Table.

The Address was read, and agreed to.

The Letter was likewise read, and agreed to.

Order'd, That the said Address, and Letter, be fairly transcrib'd, and sign'd by the *Speaker*, in Behalf of this House; and be sent back to the Council, for their signing.

A Message from the Council: *That they have agreed to the Book of Proportions: And to the Bill, intituled, An Act for Raising a Public Levy: And also to the Resolves, for Paying the Reward of One Hundred Pounds, for the Discovery of those who burnt the Public Warehouse at Falmouth: And for Paying Forty Pounds to M^r Augustine Smith.*

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Saturday, July 1, 1732.

MR. *Robert Bolling* reported, That he had waited on the Governor, and obtain'd His Assent to the Book of Claims, and Proportions.

Mr *Attorney-General* reported, That he had prepared an Address to the Governor, giving a summary Account of the Proceedings of this Session; which he desired might be received: And the same was received, and read, and agreed to, as follows:

To the Honourable WILLIAM GOOCH, Esq; His Majesty's Lieutenant-Governor, and Commander in Chief, of the Colony and Dominion of Virginia.

SIR,

WE His Majesty's most Dutiful and Loyal Subjects, the Burgeesses of this General Assembly, having gone through the several Matters You was pleas'd "to propose to our Consideration, at the Opening of the Session, and prepared several Bills thereupon, as well as upon other Subjects, which in "the Course of our Proceedings we found necessary for the People; do now attend "You, to present them for Your Assent.

"And at the same Time must acquaint You, That we have prepared, in Concurrence "with the Council, an humble Address to His Majesty, a Petition to the Parliament, "and a Letter to the Right Honourable the Lords Commissioners for Executing the "Office of Lord High Treasurer of *Great-Britain*, in Relation to certain arduous and important Affairs, very much concerning the Interest of the Crown, and the Trade and "Commerce of this Colony: And in Order to render them more effectual, we have appointed an Agent, in whom we place great Confidence, who will forthwith repair to *Great-Britain*, to negotiate the same with all Diligence: And as we do not doubt your Approbation of the Person we have chosen for that Purpose, we hope You will be pleas'd "to transmit these Things to *Great-Britain* by him, and to cause the Seal of the Colony "to be fix'd to our Petition; that it may not want Testimony of it's being an authentic "Representation of the Grievances therein set forth

"As You have, upon so many Occasions, contributed Your good Offices with Success, "for the Service and Advantage of the People under your Government, we persuade ourselves,

"felves,

“elves, You will now employ Your Intercession with the King, and His Ministers, to
 “promote the good Work we have been obliged, from a Sense of our Duty, to offer to
 “their Consideration.

“And we can only add our sincere Acknowledgments and Sentiments of Gratitude,
 “for the many good Things you have done for us, and those we represent, thro’ the whole
 “Course of Your Administration; hoping You will receive from our Gracious Sovereign,
 “all the Marks of His Favour, which He usually bestows on Those who faithfully execute
 “the power He Puts into their Hands, and without doubt will think You deserve, for
 “Your Integrity and Merit, in His Service.

Ordered, That the said Address be presented by the whole House.

A Message from the Governor, was delivered by Mr Robertson:

Mr Speaker, *The Governor commands the immediate Attendance of this House, in
 the Council-Chamber; and that you bring with you such Bills as are ready for His Assent.*

And Mr Speaker, and the House, went up accordingly.

And the Governor was pleased to give his Assent to the following Public and Private
 Bills:

An ACT for laying a Duty on Liquors.

An ACT for laying a Duty upon Slaves, to be paid by the Buyers.

An ACT to continue the A^d, for making more effectual Provision against Invasions and
 Insurrections.

An ACT to prevent frivolous and vexatious Suits: And to regulate Attorneys practising in
 the County Courts.

An ACT to continue and make perpetual an A^d therein mentioned: And for empowering
 any Judge of the General Court to take Bail when the said Court is not sitting; and
 to oblige Defendants to pay Costs upon Overruling a Plea in Abatement; and for
 allowing any Person to plead several Matters.

An ACT to make the Stealing of Slaves, Felony, without Benefit of Clergy.

An ACT for settling some Doubts and Differences of Opinion, in Relation to the Benefit of
 Clergy; for allowing the same to Women, and taking away of Reading; and to disabie
 certain Persons therein mentioned, to be Witneffes.

An ACT prescribing the Method for Proving Book-Debts.

An ACT to amend and explain the A^d for Amending the Staple of Tobacco; and for
 preventing Frauds in His Majesty's Customs.

An ACT to revive and continue certain Parts of an A^d, for ascertaining the Fees of certain
 Officers; and for better settling the Fees of County Court Clerks, and Sheriffs; and of
 Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs;
 and for settling the Fee for Summoning Witneffes, in Controversies depending before
 the Governor and Council; and ascertaining the Allowances to such Witneffes.

An ACT for lessening the Reward for Killing young Wolves; and for preventing Frauds
 in obtaining Certificates for Wolves Heads.

An ACT for adding Part of the Counties of Surry, and Isle of Wight, unto the County of
 Brunswick; and Part of the Parish of Lawne's-Creek, Southwark, and Warwickf-
 queak, in the said Counties of Surry, and Isle of Wight, unto the Parish of St.
 Andrew, in the said County of Brunswick.

An ACT for settling new Ferries over James, Appamatow, Nottoway, Rappahanock,
 and Potowmack Rivers.

An ACT for Altering the Days for holding Courts of Richmond, and Westmoreland
 Counties.

An ACT for raising a Public Levy.

An ACT for dividing every of the Counties of Richmond, King George, and Prince William,
 into Two distinct Parishes.

An ACT to enable and oblige the Parish of St. George, in Spotsylvania County, to refund
 and pay back to the Parish of St. Mark, in the County aforesaid, the Tobacco therein
 mentioned.

An

- An ACT for Altering the Place for holding Courts, in the County of Spotsylvania.
- An ACT for pulling down Wooden Chimneys, in the Towns of Southampton, and Norfolk; and to prevent the Building of others for the future.
- An ACT to restrain the Inhabitants of the Town of Delaware, from keeping too great a Number of Catle, and Horfes; and from keeping any Sheep or Hogs, running at large.
- An ACT to enable Robert Carter, Esq; one of the Executors of the last Will and Testament of Mann Page, Esq; deceased, to pay the Debts of the said Mann Page; and to entitle him to receive Interest for the Money he hath advanced, or shall advance, for that Purpose; and to charge the Estate of the said Mann Page, with the Repayment of the Principal and Interest.
- An ACT to confirm and establish an Agreement therein mentioned, made between Thomas Bray, Gent. and John Randolph, Esq; for the Settlement of their respective Rights to certain Lands, whereof David Bray, the elder, Gent. deceased, died seised; and for other Purposes therein also mentioned.
- An ACT for vesting certain entail'd Lands, with the Appurtenances, therein mention'd, in Thomas Turner, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses.
- An ACT to oblige the County of Caroline, to reimburse William Woodford the Damages he sustain'd by Means of the Escape of Benjamin Fletcher.
- An ACT for vesting certain entail'd Lands, in John Allen, Gent. in Fee-Simple; and for settling other Lands, and a Mill, of greater Value, to the same Uses.
- An ACT to enable Charles Barham, to sell certain entail'd Lands, therein mention'd; and to purchase other Lands, therein also mention'd, to be settled in Lieu thereof, to the same Uses.
- An ACT for vesting certain entailed Lands, with the Appurtenances, in the County of Northampton, in Gertrude Harmanfon, in Fee-Simple; and for settling other Lands and Negros, of greater Value, in Lieu thereof, to the same Uses.
- An ACT for vesting Three Hundred Acres of Land, with the Appurtenances, in the Parish of WASHINGTON, in the County of Westmorland, whereof George Weedon is seised in Fee-Tail, in John WASHINGTON, Gent. in Fee-Simple; and for settling other Lands, of greater Value, to the same Uses.
- An ACT to confirm and establish an Agreement between Richard Coleman, William Thornton, and Francis Thornton, for the Exchange of certain entail'd Lands, therein mentioned; and for settling the same, with certain Negro Slaves, according to the Will of the Donors.
- An ACT for vesting Two Hundred Acres of Land, with the Appurtenances, in the Parish of SITTENBURN, in the County of Richmond, whereof William Wilfon Homes, and Mary his Wife, in Right of the said Mary, are seised in Fee-Tail, in Richard Barnes, in Fee-Simple; and for settling other Lands and Negros, of greater Value, to the same Uses.
- An ACT for confirming certain entail'd Lands, therein mentioned, to William Meriwether, in Fee-Simple; and for settling other Lands and Negros, in Lieu thereof, to the same Uses.
- An ACT to enable Thomas Bray, Gent. to sell certain entail'd Lands, therein mention'd; and to lay out the Purchase-Money in Slaves, to be annex'd to other entail'd Lands, therein also mentioned.
- An ACT to confirm certain entailed Lands, with the Appurtenances, therein mentioned, to John Tayloe, Esq; in Fee-Simple; and for settling other Lands and Negros, therein also mentioned, of greater Value, in Lieu thereof, to the same Uses.
- An ACT to settle certain entail'd Lands, with the Appurtenances, in the County of Effex, whereof William Loury and Mary his Wife in Right of the said Mary, are seised upon the Issue of the said Mary, by her last Marriage; and for settling other Lands, in Lieu thereof, to the same Uses.

He also gave His Assent to the several *Resolves* of the House of Burgeesses, which were agreed to by the Council, *viz.*

For paying the Salary of One Hundred and Twenty Pounds *per Annum*, Half-Yearly, to *William Parks*, Printer, in Consideration of Printing the several Matters mentioned in his Proposals to the General Assembly; and that his Salary commence at the End of this Session.

For paying the further Sum of One Hundred Pounds, out of the Money in the Hands of the Treasurer, to *George Webb*, in full Compensation for his Care and Pains, in Preparing a Copy of the Laws, and Composing a Table for the Prefs.

For paying the Reward of One Hundred Pounds, out of the Public Money in the Hands of the Treasurer, to any Person who shall discover and convict the Person or Persons, who burnt the Public Warehouse at *Falmouth*.

For appointing *John Randolph*, Esq; Agent for this Colony, to negotiate the Affairs of the Colony, in *Great-Britain*: And for paying the Sum of Two Thousand Two Hundred Pounds, to him, out of the Money in the Hands of the Treasurer, to defray his Expences; and for a Reward for his Trouble, and the taking so long a Voyage.

For paying the Sum of Forty Pounds, out of the Public Money in the Hands of the Treasurer, to *Mr Augustine Smith*, towards repairing the Loss he sustained by the Blowing up of the Gunpowder committed to his Care, by the Order of Government.

For paying a Reward of One Hundred Pounds, out of the Public Money in the Hands of the Treasurer, to any Person who shall discover and convict the Person or Persons, who burnt the Parish Church of *St. Mark*, in the County of *Spotsylvania*.

And then made the following Speech:

Gentlemen of the Council, *Mr Speaker*, and Gentlemen of the House of Burgeesses.

MY Assent to the several Bills, which, during the Course of this Session, were framed by your Unanimity, proves our Harmony compleat: The Act to explain the Act for Improving our Staple, in Order to restore a decayed Trade, already on the mending Hand, will, at this Juncture, bring great Credit to our Proceedings, and, I hope, conciliate the Affections of every Man that wishes well to Virginia.

But amidst all this Concern for the Good of our Trade, and notwithstanding our Agreement here, little will be our Satisfaction, unless in your several Stations and Capacities, you preserve Quiet in your respective Counties: For, to what Purpose are Protection and Government, if we ungratefully throw off their happy Influence, by our own groundless Discontents and Uneasiness? Or what Advantage will the most extensive and successful Commerce afford us, if, for want of Peace and good Order, we can't enjoy with Safety, what is the Produce of our Industry?

To avoid such Things as are a Disgrace to Government, and a Disparagement to Legislation, continue your Endeavours to correct and dissipate all Misapprehensions and Jealousies; that the People committed to our Charge, being made sensible of their Duty, and doing their Best to promote mutual Happiness, may pay a due Regard to the Authority which protects them in their legal Rights, and live in Obedience to Laws, which really Aim at no less than rendering them as prosperous in their Dealings, and as easy in their Circumstances, as they themselves are willing to be: And whatever has such a Tendency, or will be for the Honour of this Colony, if consistent with my Duty to my Royal Master, and Consonant to the Relation we stand in, to *Great-Britain*, I shall, with the greatest Pleasure, advance it; and you may always depend upon a sincere Performance of it, on my Part.

After my hearty Thanks to you, for what you have done, with wishing all of you Health and Success in your Retirement from the Public to your own private Affairs, nothing remains, but to acquaint you, That I have thought fit to prorogue this Assembly, to Thursday the 16th of November next; and accordingly this Assembly is prorogued to that Time.

THE
JOURNAL
OF THE
HOUSE OF BURGESSES.
1734.

THE
JOURNAL
OF
THE HOUSE BURGESSES.

Thurfday, Auguft 22, 1734.

SIR *John Randolph* having resigned his Commiffion of Clerk of the Houfe of Burgefles, and *Benjamin Needler* having taken the Oaths appointed to be taken by Act of Parliament, inftead of the Oaths of Allegiance and Supremacy, the Oath of Abjuration, and the Teft, was, by Virtue of a Commiffion from the Honourable the Lieutenant Governor, fworn Clerk in his Stead, and admitted to his Place in the Houfe accordingly.

A Meffage from the Governor was delivered by Mr *Robertfon*.

Mr Speaker, *The Governor commands the immediate Attendance of this Houfe in the Council Chamber.*

Mr Speaker, with the Houfe, went up accordingly; and being returned, he reported, That the Houfe had attended the Governor in the Council Chamber; and he was pleafed to make a Speech to the Council and this Houfe; of which, to prevent Miftakes, he had obtained a Copy, which was read by the Clerk, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the Houfe of Burgefles,

IF a conftant and a tender Regard for the true Intereft of *Virginia*, as limited by what we owe to our Mother Country, could procure for you thofe wholfome Laws which from Time to Time are wanting to advance it, I fhould have had no Occafion to call you together: But fince they muft be concerted by mutual Advice, and are only to be obtained by legal Methods of Deliberation, the repeated Proofs you have given of the fame upright and laudable Difpofition, are fo many unqueftionable Atteftations, that whatever the prudent Meafures already entered into for promoting our Trade, have made neceffary, in order to fecure to it a more lafting Eftablifhment, will meet with the ufual Concurrence of an Affembly, whofe Zeal for the Profperity of the Colony has hitherto been fo confpicious.

AS the Law enacting the Regulation our Staple is at prefent under, by which it has acquired a very valuable Reputation, is now near expiring, that I may not be found fwerving from my Profeflion, I muft earneftly recommend to you the framing of a Bill to the fame Ufes and Purpofes, therein carefully reducing and adjufting the Number of Warehoufes, and the Rents to fuch a Yearly Charge, as the Annual Income may be fufficient to fupport and defray all its Expences, including an encouraging Recompenfe to every Infpector.

AND,

AND, whereas Mankind are tempted to engage in a Trade, as well by the Certainty of its Duration, as by the Goodness of the Commodity they deal in, and the only Motive that animates our own People to Industry, is the Prospect of an encouraging Market, the Advantages we may fairly promise our selves from Measures so well grounded, ought not to be put in Hazard by too stinted a Portion of Time: For, as a perpetual Law, or a Law for a long Term of Years, will infallibly keep our Trade steady; so, a Law that quickly ends, tho' frequently renewed, will render the Price of our Staple very precarious. And you must excuse me, Gentlemen, for anticipating your Judgment upon a Subject of such Consequence, the Truth whereof may be controverted, tho' it can't be confuted.

SOME Amendments to our Militia Law will be the next best Pledge of your Love to your Country, which could never more seasonably be expressed.

THE Marriage of the PRINCESS ROIAL to His Serene Highness the PRINCE of ORANGE, which has lately been the happy Occasion of an universal Rejoicing thro' the Kingdom of *Great-Britain*, will, no question, be a Matter of equal Joy to you; since we have the same Reason to contemplate His Majesty's consummate Wisdom, and to acknowledge the Regard he has shewn for his People, in securing to them, by this intimate Alliance, the Friendship of that illustrious House.

AS I have not proposed any Thing to you, but what directly and immediately tends to the Interest and Credit of the Colony, and to the Happiness of all the Inhabitants, Rich and Poor, whom we are, every one of us, bound to protect and maintain in their legal and just Rights, I shall depend upon your Suffrage for their Accomplishment: And, I make no Doubt, our Endeavours will be crowned with Success, whilst we provide, by these righteous Means, such a Reward for the Planters Labour, and such Security for their Properties, as will most conduce to the Good of the Public.

Resolved, That an Humble Address be presented to the Governor, to return the sincere Thanks of this House for his kind Speech to the Council and this House; and for his constant and assiduous Care for the Welfare and Prosperity of this Colony.

Resolved, That a Committee be appointed to draw up an Address to the Governor upon the said Resolution. And it is referr'd to

Mr *Robinson*,

Mr *Robert Bolling*,

Mr *Attorney*,

Mr *Basset*,

Mr *Eskridge*,

Mr *Francis Willis*, and

Mr *Armistead*.

Resolved, That this House will take the Governor's Speech into Consideration To-morrow.

Ordered, That the Committee of Privileges and Elections be Revived, to consist of the following Persons:

Mr *Eskridge*.

Mr *Grymes*,

Mr *Robinson*, and

Mr *Thacker*,

Mr *Randolph*.

And they are to meet when they think fit, and to take into their Consideration all such Matters as shall or may come into Question, touching Returns, Elections, and Privileges; and to report their Proceedings, with their Opinions therein, to the House, from Time to Time: And the said Committee is to have Power to send for Witneses, Persons, and Records, for their Information.

Ordered, That the Committee of Propositions and Grievances be Revived, to consist of the following Persons:

Mr *Attorney General*,

Mr *Merriwether*,

Mr *Presly*,

Mr *Conway*,

Mr *Dangerfield*,

Mr *Braxton*,

Mr *Francis Willis*,

Mr *Henry Willis*,

Mr *Armistead*, and

Mr *Eskridge*,

Mr *Basset*.

And

And they are to meet when they think fit, and to adjourn from Day to Day; and to take into their Consideration all Propositions and Grievances that shall come legally certified to this Assembly; and to report their Proceedings, with their Opinions thereupon, to the House, from Time to Time: And all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee, of Course: And the said Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That Mr *Kemp* be continued Clerk to the said Committee.

Ordered, That the Committee of Public Claims be Revived, to consist of the following Persons:

Mr *Robert Bolling*,

Mr *Lawrence Smith*,

Mr *Whitehead*,

Mr *Samuel Harwood*,

Mr *William Harwood*,

Mr *Simmons*,

Mr *Grey*,

Mr *Ball*,

Mr *John Bolling*, and

Mr *Thornton*.

And they are to meet when they find it necessary, and to adjourn from Day to Day; and to take into their Consideration all Public Claims which shall be prefer'd to the House during this Session; and to report their Proceedings, with their Opinions therein, to the House, when they have gone through the said Claims: And all Persons that have any Claims, are to deliver them to the Clerk, and he is to deliver the same to the said Committee, of Course: And they are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That Mr *Cary* be continued Clerk to the said Committee.

Ordered, That Mr *Fountain* be continued Chaplain to the House; and that he do attend to read Prayers every Morning at Ten a Clock: And That Mr *Attorney*, Mr *Francis Willis*, and Mr *Eskridge*, do wait on the Governor and Council, and acquaint them therewith.

Ordered, That *Nicholas Wager*, *John Mundell*, and *William Francis*, who attended as Door-keepers to this House last Session, be continued in their Offices; and that *John Johnson* be appointed Door-keeper, in the Room of *William Johnson*, deceased.

Ordered, That a Message be sent to the Governor, to desire him to order a new Writ to issue, for Electing a Burgess to serve in this present General Assembly, for the College of *William and Mary*, in the Room of Mr *George Nicholas*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for *James-Town*, in the Room of Mr *Archibald Blair*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly for the County of *Lancaster*, in the Room of Mr *Charles Burges*, deceased.

Also a new Writ for Electing of Burgeses to serve in this present General Assembly, for the County of *King George*, in the Room of Mr *Nicholas Smith*, and Mr *William Strother*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Caroline*, in the Room of Mr *Richard Buckner*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Stafford*, in the Room of Mr *John Fitzhugh*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Richmond*, in the Room of *John Tayloe*, Esq; who since his Election, hath been appointed and sworn of His Majesty's Council.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Westmoreland*, in the Room of *Thomas Lee*, Esq; who since his Election, hath been appointed and sworn of His Majesty's Council.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Norfolk*, in the Room of Mr *William Crafford*, who since the last Session, hath accepted and executed the Office of Sheriff of the said County.

Also

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Northampton*, in the Room of Mr *Thomas Marshall*, who since last Session, hath accepted the Office of an Inspector.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Friday, August 23, 1734.

A Proposition from the County of *Hanover*, complaining of the insolent Behaviour of Mulattos, proposing that a Law be made to distinguish who shall be said to be Mulattos, and praying the Consideration of the House therein, was presented to the House, and read.

Ordered, That the said Proposition be refer'd to the Consideration of the Committee of Propositions and Grievances.

Resolved, That the Committee for Courts of Justice be Revived, to consist of the following Persons:

Mr *Robertson*,
Mr *Randolph*,
Mr *Martin*,

Mr *Grymes*,
Mr *Ravencroft*,
Mr *Mead*, and

Mr *Thacker*.

And they are to meet, and adjourn from Day to Day; and to take into their Consideration all Matters relating to Courts of Justice, and their Proceedings; and to inspect the Journals of the last Session; and to prepare and draw up a State of the Matters then depending and undetermined, and the Progress that was made therein; and to report the same to the House: And they are also to examine what Laws have expired since the last Session; and to inspect such temporary Laws as will expire with the End of this Session, and to report to the same to the House, with their Opinions which of them are fit to be revived or continued: And the Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That Mr *Webb* be appointed Clerk to the said Committee.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, the Oath of Abjuration, and the Test, and also the Oath of a Burgess, was admitted to his Place in the House.

The Order of the Day being read, *Resolved*, That the House will resolve itself into a Committee of the whole House, on *Wednesday* next, to consider the Governor's Speech.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Saturday, August 24, 1734.

THE Members being met between Eleven and Twelve a Clock, Mr *Serjeant* brought the Mace, and laid it under the Table: And the Clerk informed the House, That he had received a Letter directed to him as Clerk of the House, from Mr *Speaker*; which was read as followeth:

Sir,

August 24, 1734.

I Desire you to present the Inclosed to the House, and in that you will oblige,
Sir, Your Humble Servant,
JOHN HOLLOWAY, *Speaker*.

The Inclosed was another Letter, which was also read, as followeth, *viz.*

Gentlemen,

Gentlemen,

THE State of my Health has for some Time past been such, That I find I am not able to attend the Duty of my Office, without great Inconveniency to my self, and perhaps some Detriment to the Public Buſineſs: Therefore I take this Occaſion to return you my ſincere Thanks for the many Favours I have received from you, and to acquaint you, that I chooſe to retire from the Fatigue which I muſt neceſſarily undergo in the ſervice of this Seſſion, and to deſire you to ſupply my Place of Speaker by a new Election.

I am, with all Duty,
Gentlemen, Your moſt obedient,
and ever obliged humble Servant,
JOHN HOLLOWAY, *Speaker.*

After reading whereof, Mr Attorney General ſtood up, and ſpake as followeth:

I Am commanded by the Governor, to acquaint this Houſe, that he has received a Letter from Mr Holloway, That he cannot further attend the Service of this Houſe, as Speaker; and that it is His Pleaſure, that this Houſe do immediately proceed to the Choice of a new Speaker.

And he recommended Sir John Randolph, as a Perſon equal to, and eminently qualified for, that Truſt. Whereupon,

Sir John Randolph was unanimouſly choſen, and accordingly conducted to the Chair, by Two Members; and being there placed, made a Speech to the Houſe, as follows:

GENTLEMEN,

I COME now to experience all the Degrees of your Favor and Kindneſs to me; and it will not become me to pretend any Unwillingneſs to accept what you think me worthy of: Tho' I know, after Gentlemen have employed all their Intereſt to be elected into this Office, they uſually repreſent themſelves abſolutely incapable of diſcharging the Duties of it. But if this be done without a Conſciouſneſs of the Truth of what they ſay, or any Deſign to depart from the Right of their Election, it muſt either be a falſe Appearance of Modeſty, or a blind Compliance with a Cuſtom, that perhaps, in the beginning, was founded upon Truth and Reaſon, but by Time, like many others, becomes only an Abufe of Words; which I cannot follow: And I the rather avoid it, becauſe I intend, upon no Occaſion, to give you any Inſtance of the leaſt Inſincerity, which I think not only very uſeleſs, but the moſt vicious Thing in the World. Therefore, I muſt own, I do with a particular Pleaſure embrace the Opportunity you have given me, of employing my ſmall Talents, which appear to you in a much better Light than they deſerve, ſtill in your ſervice; and I thank you for this additional Inſtance of your Confidence in me, in beſtowing your greateſt Truſt upon me. But as to my fitneſs to ſerve you, Time and your own Experience will beſt determine it; ſo it may be needleſs to raiſe your Expectations about it: Only thus much I will assure you, that all the Advantages I may have received from a long Experience of the Methods of this Houſe, ſhall be improved for the Advancement of your Reputation, and the Public Good; and I will not imagine, that the Pageantry and Formalities of this Office, are any Part of the Honors of it, which I know muſt proceed from a Labor and Diligence to prevent any Imputation upon your Proceedings and Reſolutions. To this I am bound, not only by the Duty I owe to you, but by my own Intereſt; ſince nothing can happen amiſs here, that will not be reflected on me, perhaps in more than my due Proportion, while the Weight of my own failings will lie wholly on my ſelf, and perhaps of ſome that may be only imaginary: For as, on the one Hand, it is not the eaſieſt Thing in public Debates, ſo to hold in one's own Temper, as to avoid all juſt Occaſions of Reproach; ſo on the other, it is one of the hardeſt, to place what is done juſtly and laudably in ſuch a View as will be acceptable to every Body.

Body. The Prejudices with which we imbibe all of our own Opinions, which are generally impreffed upon us too haftily, are often the Occafion of great Injuftice in this Particular: And the Partiality of Mankind is fuch, that they cannot cordially approve what is done by thofe who do not concur with all their Sentiments; but are apt to charge the contrary Side with Ignorance, Obftinacy, or perhaps Corruption. Yet tho' this be very common, every Body is ready to condemn it as one of the great Weakneffes of Human Nature; which is moft evidently true from this, that both Sides, in every Oppofition, of which one muft certainly be in the wrong, entertain the fame Rancour and Animofity againft each other, from an imaginary Excellence of their own Modes of Thinking. But I have abundant Reafon to hope, from my Experience of the Candor and Good-will of this Houfe towards me, that I fhall be exempted from any unkind Cenfures of this Sort; and indeed, feeing we have the Happinefs, which feems almoft peculiar to our felves, of being under none of the Perturbations which we fee every where elfe arifing from the different Views and Defigns of Factions and Parties, and have yet no Footfteps of Corruption among us, inftead of raifing any Heat or Intemperance in our Debates, which are always unneceffary, we fhould look upon all Differences among us to proceed from the Doubtfulnefs of Expedients that fhall be propofed for the Common Good: And upon that Account, the Minority fhould fubmit calmly and chearfully to what the Majority determines, 'til Time and Experience fhall either convince, or furnifh them with more forcible Arguments againft it. Then we fhall hear one another patiently, put the Weight of every Man's Reafon in the Ballance againft our own, and at laft form a Judgment upon the whole matter; which, if not the wifeft, yet, refulting from the Integrity of our own Principles, will be honeft and commendable. But if we come, by our Refentments and Impatience of being out voted, or by our Affections, to confider Men more than the Matter, we fhall be fure to be always in the wrong, becaufe what we do from Confiderations without us, can have no good Foundation; and we muft lofe all the Advantages of Reafoning and Argument. And, however Mankind may be provoked, by being thwarted with the Sentiments of other Men, a Variety of Opinions is not only abfolutely neceffary to our Natures, but is likewife of all Things the moft ufeful; fince if all Men were of one Mind, there would be no Need of Councils; no Subject for Learning and Eloquence; the Mind would want its proper Exercife, and without it, like the Body, would lofe its natural Strength, from a Habit of Sloth and Idlenefs. Truth itfelf will receive an Addition of Strength by being oppofed, and can never be in Danger of fuffering by the Teft of Argument.

THESE being Notions by which we fhould be directed, in difcharging the Truft the People have repofed in us, if we would eftablifh them in our Practice, we fhould then attain the true Dignity of our Representation; and I flatter myfelf, from your accuftomed Prudence and Moderation, every Gentleman here will confider what it is to represent the People of any Country.

BUT indeed, I know I muft make the worft Figure myfelf, if I fhall be found unable to perform what it will be my Duty to dictate to others; if I fhall endeavour to make the eftablifhed Rules of your Proceedings fubfervient to my own Fancies and Humours, or Interefts; or fhall bring into this Chair a Reftleffnefs and Impatience about Points that may be carried againft my Sentiments; or fhall pretend to any Authority of fwaying any Member in his Opinion; I fay, then I fhall deferve to have no Influence upon your Proceedings; but do not doubt, nay I hope, you will mortify me with the utmoft of your Contempt for the Inconfiftence of my Theory and Practice. And if I fhall happen to fucceed better, I will pretend to no other Praife, but that of not having deceived the Expectations of fo many worthy Gentlemen, who have continued to heap upon me fuch a Series of Favors, which fo long as I retain the Memory of any Thing, I muft look upon as the chief Foundation of the Credit and Reputation of my Life.

Ordered, That a Meffage be fent to the Governor, to acquaint Him, That this Houfe had made Choice of a *Speaker*; and to know his Pleafure, when this Houfe fhall attend to prefent him.

Ordered,

Ordered, That Mr Attorney, Mr Conway, Mr Merriwether, Mr Francis Willis, and Mr Robert Bolling, do carry the said Message: And they immediately withdrew; and being returned, Mr Attorney acquainted the House, That the Governor was pleased to declare his Pleasure, that this House should attend him immediately in the Council Chamber, with their *Speaker*.

Accordingly Mr *Speaker* Elect, with the House, went up to attend the Governor in the Council Chamber, and spake as followeth:

Sir,

THE House of Burgesses being deprived of the Service of their late *Speaker*, by the Weakness and Infirmities of Age, have, in Obedience to your Commands, proceeded to a new Choice; and having thought me worthy of the Office, do now present me for your Approbation.

I do not intend to entertain You with any Discourse of my Unfitness for this Trust; because I would avoid an Indecency, which an Act of Infincerity might bring me into, if I should pretend any Unwillingness to take that upon me, which I really have no Aversion to; notwithstanding Custom has made Disabling Speeches almost a necessary Part of the Ceremonial.

But my Opinion is, That Customs which are founded in Truth, so long as the Reason of them remains, ought to be observed: But when they become, by Time, which works great Changes in the Tempers and Inclinations of Mankind, the Support of false Appearances, it is best to neglect them, as useless and vicious: Therefore I offer myself to your Judgment, as on the one Hand without a tedious Enumeration of my Imperfections, which perhaps may be too visible; so, on the other, without boasting of any extraordinary Talents.

Then the Governor spake thus:

Gentlemen,

THOUGH I am sorry for the Occasion, yet I am glad you have made so good a Choice; I do assure you, you could not have voted to your Chair a Person more agreeable to me, nor one that will do greater Honour and Service to his Country.

After the Governor's Speech, Mr *Speaker* reply'd:

Sir,

I Am very sensible, that Your good Opinion would at any Time be an Addition of Credit to me; but, as in this Place and upon this Occasion, it is much more so, I must esteem it accordingly.

Yet I cannot flatter my self, That because I am now to appear in a Public Office of some Credit, that I am already in Possession of all the Honours of it; I know they must arise, *a posteriori*, from the Services I shall be able to do in it: And tho' the Opportunities I may have of doing any Thing considerable, will be but few, if I make a good Use of those which may offer, and shall have Constancy enough not to mingle my own Passions and Interests, with what regards only the Public Good, I may hereafter have Reason to be proud of the Favor I have received from Your Honor, and so many worthy Gentlemen.

And being returned to the House, and the Mace being laid on the Table, A Petition of sundry Inhabitants of the County of Gloucester, representing, That the Law for Cutting up Tobacco-Suckers, as it now stands, is a Grievance, was presented to the House, and read.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Propositions and Grievances; and that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

A Claim of *William Cox*, of the County of *Lancaster*, for taking up a Runaway Slave, belonging to *Joseph Hale*, of the said County, was presented to the House, and read.

Ordered, That the said Claim be refer'd to the Committee for Public Claims; and that they do examine the Matter thereof, and report the same, with their Opinion thereupon, to the House.

A Petition of fundry Inhabitants of the Counties of *Caroline*, and *King-George*, praying, That a Public Ferry may be appointed from *Roy's Warehouse*, in the said County of *Caroline*, to *Gibson's Landing*, in the said County of *King-George*, was presented to the House, and read.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Propositions and Grievances; and that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

A Member informing the House, That by Reason of bad Weather, no Court for Proof of Public Claims had been held for the County of *Middlesex*, before this Session of Assembly; but that several Claimants had proved their respective Claims before a Justice of the Peace of the said County; after a Debate, the Question was put, That the said Claims be received.

Resolved in the Affirmative.

Ordered, That the said Claims be refer'd to the Consideration of the Committee for Public Claims; and that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

A Petition of *John Delashumate*, setting forth, That a Hoghead of the said Petitioner's Tobacco was burnt in the Public Warehouse, at *Falmouth*, was presented to the House, and read.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Propositions and Grievances; and that they do examine the Matter thereof; and report the same with their Opinion thereupon, to the House.

Ordered, That the House be adjourned 'til Monday Morning Eleven a Clock.

Monday, August 26, 1734.

Ordered,

THAT an Address be made to the Governor, to order all the Inspectors Accounts, since their passing the same with the Treasurer, to this Time, to be laid before the House, as soon as possible; and that Mr *Merriwether*, Mr *Martin*, Mr *Braxton*, and Mr *Francis Willis*, do wait on the Governor with the said Address.

Accordingly they withdrew: And being returned, Mr *Merriwether* Reported, That the Persons appointed had, according to Order, waited on the Governor; and, that He was pleased to say, That the Inspectors Accounts shall be immediately sent for.

Mr *Robinson* Reported, That the Persons appointed had, according to Order, prepared an Address to the Governor; and he read the same in his Place; and afterwards deliver'd it in at the Table, where it was again read.

And a Motion being made to put off the Consideration of the said Address, after a Debate, the Question was put, That the said Address be immediately considered.

Resolved in the Affirmative.

And Part of the Address was again read; and a Motion was made, That the same should be recommitted: And, after a Debate, the Question was put thereupon.

It passed in the Negative.

Then

Then the Address was read through, and agreed to by the House, without any Amendment, as followeth, *viz.*

SIR,

WE His Majesty's most dutiful and loyal Subjects, the BURGESSES of the Colony of *Virginia*, now met in General Assembly, do in Behalf of our selves, and those we represent, return you Thanks, as well for your great Care of their Interest, and your prudent Administration of the Government, as for the Readiness You express in Your SPEECH, to concur with us in such further Measures as may best conduce to the Accomplishment of a Work in which we have already made considerable Progress, and may boast of some Success.

IT is no Wonder, that in a Matter of such a Nature as the Regulation of our Trade, where every Individual is concerned to such a Degree, in all Rules that can be established against Fraud and Deceit, which we have found insuperable by any other Way than that of a Public Inspection, if some Interests still remain to be satisfied, and new Objections do arise which are worthy to be considered; since it is hardly possible, from the short Views of human Prudence, so to consider Things at once, as may be exactly answerable to the Doubtfulness of future Events, especially in this precarious Trade of Tobacco. We have abundant Reason to observe the Difficulties which attend all Attempts to reduce it to that Standard of Goodness as is necessary, not only for the Security of all honest Traders, but to prevent an Overloading of the Markets abroad, with a base and useless Commodity, which might be sufficiently discouraged of itself, if it did not reduce the better Sort almost to the same Level.

BUT now that we are furnished by Experience, which is the best Preceptor, with a more perfect Knowledge of all the Advantages and Defects of what has been already done, We will apply our selves, and endeavour, with that Disinterestedness and Moderation, which become the Representatives of a Country, to add such new Sanctions as may enforce and reform the first Scheme.

BUT above all, it will be incumbent upon us, to consider of the best Means to support so honest and profitable a Law, without Loading our selves with a Debt, which we know would give Occasion to new Clamours, seeing it would always be felt as a present Inconvenience, and therefore, with the Multitude especially, must have more than its due Weight in the Balance against all past Advantages, should they be ever so considerable.

Resolved, That the said Address be fairly transcrib'd, and presented by the whole House.

Ordered, That the Committee, who prepared the same, do wait on the Governor, to know his Pleasure, when the House shall present it.

And they immediately withdrew: And being returned, Mr *Robinson* Reported, That the Persons appointed had, according to Order, waited upon the Governor, to know his Pleasure, when he will be attended with the Address of this House; and He was pleased to appoint To-morrow, at Twelve a Clock, in the Council Chamber.

Ordered, That the House be called over To-morrow, at the first Sitting.

Ordered, That this House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, August 27, 1734.

THE Order of the Day being read, a Motion was made, That the Call of the House be put off 'til *Friday* next: And the Question being put thereupon,
It passed in the Negative.

Then the House was called over: And the Names of the absent Members were again called over; and Excuses made for some of them, which were allow'd.

Ordered, That Mr *John Fleming*, and Mr *Matthew Anderson*, for absenting themselves from the Service of this House, be taken into Custody of the *Serjeant at Arms*.

A Member return'd upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and subscribed the Test, and taken the Oath of a Burgefs, was introduc'd, and admitted to his Place in the Houfe.

Mr *Speaker* Reported, That he had, with the Houfe, attended the Governor; and presented the Addrefs of this Houfe to Him: To which He was pleas'd to return the following Answer:

Gentlemen of the Houfe of Burgeffes,

I Thank you for your kind Addrefs: It is a great Pleasure to me, to find you so well dispos'd to supply what may yet be wanting in the Regulation of the Tobacco Trade; and that you concur with me in Opinion, that a public Inspection is the only Expedient to discourage Fraud, and to prevent the Markets abroad being burden'd with Traff; which, from the Experience we have already had, seems to be past Doubt.

THEREFORE, I hope you will go on, with your usual Temper and Prudence, to finish a Work so successfully begun, and of so great Importance to the People of Virginia; in which I am act'd by no other Zeal but that of Raising this precarious Commodity to such a Standard, as that all public Debts may be discharged in good Tobacco, which as to them is substituted in the Place of Money; that the Estates in the Colony, may be brought from a nominal to a real Value; and that the poor Planters, who are entirely exempted from all the Expence of executing this Law, may live comfortably by their Labour and Industry.

A Petition of William Todd, setting forth, That after the passing the Act, For Amending the Staple of Tobacco, he did at his own Charge, build the Public Warehouse at Falmouth, which was afterwards maliciously burnt, praying the Consideration of the Houfe therein, and such Relief in the Premises as to the Houfe shall seem just; was presented to the Houfe, and read.

Ordered, That the said Petition be refer'd to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the Houfe.

Mr *Attorney General* Reported from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, several Propositions and Grievances, from several Counties; and had come to divers Resolutions thereupon: And he delivered the Report in at the Table, where the same was read.

Ordered, That the Report of the said Committee be taken into Consideration on Thursday next.

Ordered, That it be a further Instruction to the Committee for Courts of Justice, That they do enquire into such Temporary Laws as may be near expiring after the End of this Session of Assembly; and report their Opinion to the Houfe, which of them are fit to be continued.

Ordered, That Mr *Anthony Walke* be added to the Committee for Courts of Justice.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Eleven a Clock.

Wednesday, August 28, 1734.

*T*HE Order of the Day being read, the Houfe resolv'd itself into a Committee of the whole Houfe, to consider the Governor's Speech; and Mr *Attorney General* took the Chair of the Committee: And after some time spent therein,

Mr *Speaker* resum'd the Chair; and Mr *Attorney General* Reported, That the Committee had some Part of the Governor's Speech under Consideration; and were come to several Resolutions thereupon, which they had directed him to Report to the Houfe:

Houfe: And moved from the Committee, That they might have Leave to fit again, to confider further of the Governor's Speech: Then he read the faid Refolutions in his Place; and afterwards delivered them in at the Table; where they were again twice read, and agreed to by the Houfe, as follows:

Resolved, That the Aft made in the Third and Fourth Years of the Reign of His prefent Majefty, *For Amending the Staple of Tobacco, and for preventing Frauds in His Majefty's Customs*; and the Aft made in the Fifth and Sixth Years of His faid Majefty's Reign, have in fome meafure answered the good Ends and Purpofes thereof; and if continued, with fome further Alterations and Amendments, will ftill be a greater Encouragement, as well to all Traders in Tobacco, as to the Planters.

Resolved, That the prefent Expence of executing the faid Afts, is like to prove too burthenfome to the Country; and that it will be neceffary to leffen the fame, as much as poffible.

Resolved, That many of the Infpectors have not done their Duty, in Matters which are plainly provided for in the faid Afts; but have entertain'd needlefs and groundlefs Scruples in the Execution of their Office: And that fome more ftrict and fpecial Rules be eftablifhed, for their Direction.

Resolved, That the Houfe will again refolve it felf into a Committee of the whole Houfe, to confider further of the Governor's Speech, on *Monday* next.

Ordered, That a Bill be brought in, further to continue and amend the Aft made in the Third and Fourth Years of His Majefty's Reign, *For Amending the Staple of Tobacco; and Preventing Frauds in His Majefty's Customs*.

Resolved, That this Houfe will refolve itfelf into a Committee of the whole Houfe, to confider of the Heads of the faid Bill.

A Motion being made, after a Debate, the Queftion was put, That Leave be given to bring in a Bill, to amend the Aft made in the Third and Fourth Years of His Majefty's Reign, *For the better Regulating the Payment of the Burgefles Wages*.

It paffed in the Negative.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Eleven a Clock.

Thursday, Auguft 29, 1734.

THE Order of the Day being read, the Houfe proceeded to the Confideration of the Report from the Committee of Propofitions and Grievances; and the fame was read, and is as follows:

Upon Confideration of a Propofition from the County of *Spotsylvania*, It is the Opinion of the Committee, That the Sherifs of the refpective Counties in this Colony, in Conjunction with the Juftices, do agree with and employ a fit Perfon to guard the Goal of each County, in order to prevent Efapes: And that the Juftices be impower'd to levy fuch a reasonable Allowance in Tobacco, upon the Inhabitants of the County, as fhall be agreed upon between the Sheriff and them, and the Perfon employed.

Upon Confideration of a Propofition from the faid County of *Spotsylvania*, That the Ferry, at the Place where it is now kept, at the Town of *Fredericksburg*, be put down; and that a Ferry be appointed, from the *Warehouse Landing*, in the faid Town, over the River, to the Land of *William Thornton*, Gent. It is the Opinion of the Committee, that the fame is reasonable.

Upon Confideration of a Propofition from the feveral Counties of *Lancaster*, *Northumberland*, *Accomack* and *Northampton*, That a Law be made, for deftroying Squirrels and Crows, It is the Opinion of the Committee, that the fame is reafonable.

Upon Confideration of a Propofition from the County of *Lancaster*, That Sheep be kept within Inclofures, from the 15th Day of *May*, 'til the 15th Day of *September*, Yearly,

Yearly, to prevent the Damage they do, by eating Tobaceo, It is the Opinion of the Committee, that the same is reasonable.

Upon Consideration of a Proposition from the Counties of *Caroline* and *Spotsylvania*, That the Days for holding Courts for the said County of *Caroline*, and the County of *Stafford*, be alter'd: And that for the future, the Days for holding Courts for the said County of *Caroline*, be the Second *Friday*; and the Days for holding Courts for the said County of *Stafford*, the Second *Tuesday*, in every Month; It is the Opinion of the Committee, that the same is reasonable.

Upon Consideration of a Proposition, from the Counties of *Hanover* and *Northampton*, For restraining the Infults of free Mulattoes; and that a Law be made, declaring in what Manner the Orphans and poor Children of free Negroes and Mulattoes, shall be provided for; It is the Opinion of the Committee, that some Provision be made for those Purposes.

Upon Consideration of a Proposition, from the County of *Nansemond*, That the Law directing the Method of Recovering small Debts, be repeal'd.

And of another Proposition, from the said County, That a Law be made, for disabling Inspectors from being elected Burgeffes.

Also of a Proposition, from the County of *Glocester*, That a Law be made, for repealing the Laws now in Being, for the Cutting up Tobacco-Suckers.

Also of a Proposition, from the County of *Henrico*, That a Law be made, to restrain the Attorney-General of this Colony, from taking a Fee of Five Pounds Current, which he claims by Custom, for drawing Pardons for Slaves condemn'd to die.

It is the Opinion of the Committee, That the said several Propositions be rejected.

Then the said Report was read a second Time; and Part thereof was agreed to, and Part disagreed to, by the House.

Ordered, That Leave be given to bring in a Bill, to amend the Law in relation to the Escapes of Prisoners committed for Debt.

Ordered, That Leave be given to bring in one or more Bills, for appointing several Ferries, and altering several Court-Days, according to the said Report: And that it be an Instruction to the Committee who shall prepare the said Bill, to bring in a Clause, for changing the Court Day of *Hanover*.

Ordered, That the Committee of Propositions and Grievances do prepare and bring in the said Bills.

Ordered, That a Bill be brought in, for the better Government of free Mulattos; and making better Provision for the poor Children of free Negroes and Mulattos.

Ordered, That Leave be given to bring in a Bill, for Incouraging the Killing of Squirrels and Crows; and that the Committee for Courts of Justice, do prepare and bring in the said Bills.

Resolved, That the said several Propositions, from the County of *Lancaster*, for keeping Sheep within Inclosures, from the 15th Day of *May*, 'til the 15th Day of *September*, Yearly:

From the County of *Nansemond*, for Repealing the Law, directing the Method of recovering small Debts, to be by Petition and Summons:

From the County of *Glocester*, for Repealing the Laws now in Being, for the Cutting up Tobacco-Suckers:

From the County of *Henrico*, for Restraining the Attorney-General of this Colony, from taking a Fee of Five Pounds Current, which he claims by Custom, for Drawing Pardons for Slaves condemned to die; be rejected.

Resolved, That the Laws now in Force, are sufficient to prevent Inspectors from being elected Burgeffes; and, That the Proposition from the County of *Lancaster*, for making a Law for that Purpose, be Rejected.

Ordered, That Mr *Armistead* have Leave to be absent from the Service of the House, 'til *Monday* next.

A Motion being made, after a Debate, the Question was put, That Leave be given to bring in a Bill to amend the Laws now in Force, for the more speedy and easy Recovery of small Debts.

Resolved in the Affirmative.

Ordered, That the Committee of Propositions and Grievances, do prepare and bring in the Bill.

Ordered, That Mr Mead, Mr Boufsh, and Mr Blair, be added to the Committee for Courts of Justice.

Mr Matthew Anderson, a Member of this House, having sent His Excuse to the House, for not attending his Duty in the Service of the House:

Ordered, That the *Serjeant at Arms* be discharged from executing the Order for taking him into Custody.

A Motion being made, the Question was put, That Leave be given to bring in a Bill, for better Regulating Ordinary-keepers, to prevent their giving Credit, and to disable them to maintain any Action, or recover any Money or Tobacco on their Accounts.

Resolved in the Affirmative.

Ordered, That the Committee for Courts of Justice, do prepare and bring in the Bill.

Ordered, That it be an Instruction to the said Committee, to bring in one Clause or more, to prevent Retailers of Rum and Brandy, from maintaining any Action, or recovering any Debt contracted, for Rum or other distilled Spirits, sold upon Credit.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

*** Note, In the Proceedings of Saturday last, within 3 Lines of the End, instead of the Words of Propositions and Grievances, read, for Public Claims.*

In Yesterday's Proceedings, within 7 Lines of the End, after the Word Bill, please to add these Words, To-morrow Sevensnight.

Friday, August 30, 1734.

THE Treasurer's Accounts being laid before the House, the Titles thereof were severally read.

Ordered, That the said Accounts be refer'd to the Consideration of the Committee for Courts of Justice; and that they examine the several Articles thereof, and report the same, with the Ballance, as it shall appear to them, to the House.

Ordered, That the said Committee do examine the Expence of executing the Act, *For Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs*, as they shall find the same in the said Accounts; and report how much every distinct Head of such Expence, amounts to, to the House.

The House being inform'd, That Mr John Fleming, a Member of this House, attended at the Door, in Custody of the *Serjeant at Arms*; and that he had been prevented from attending the Service of the House, by Sicknefs.

Ordered, That he be discharged out of Custody, without paying Fees.

Ordered, That Mr Roscow have Leave to be absent from the Service of the House, 'til Tuesday next.

Mr Robinson, from the Committee for Courts of Justice, reported, That the Committee having examined what Laws have expired since the last Session, and inspected such Temporary Laws as will expire with, or soon after, the End of this Session of Assembly, were come to several Resolutions thereupon; which he read in his Place, and delivered in at the Table.

Ordered,

Ordered, That the said Report be taken into Consideration on *Tuesday* next.

Mr *Robinson*, from the Committee for Courts of Justice, also reported, That the Committee had, according to Order, inspected the Journal of the last Session of Assembly; and agreed upon a Report of the Matters then depending and undetermined; and the Progress that was made therein; which he read in his Place, and afterwards deliver'd in at the Table, where the same was again read.

Ordered, That the said Report be refer'd to the Consideration of the Committee of Propositions and Grievances; that they do examine the same, and report their Opinion what they think is proper to be done further therein, to the House.

A Petition of Mr *Charles Chiswell*, in Behalf of himself and the *Fredericksville* Company, was presented to the House, and read, setting forth, That in the Year One Thousand Seven Hundred and Thirty Two, he sent to the Assembly, Certificates of Persons employed in Iron-Works, in the Counties of *Hanover* and *Spotsylvania*, in the Years One Thousand Seven Hundred and Thirty One, and One Thousand Seven Hundred and Thirty Two, and of the Parish, and County Levies, paid for the said Persons, which amounted to Nineteen Thousand Two Hundred and Forty Four Pounds and Three Quarters of a Pound of Tobacco; but by some Omission, no more than Seven Thousand and Eighty One Pounds and Three Quarters of a Pound of Tobacco was levied, to be repaid to the Petitioner; and praying to be reimbursed the Deficiency, being Twelve Thousand One Hundred and Sixty Three Pounds of Tobacco, and to be repaid the County, Parish, and Public Levies, paid for the Persons so employed in the Years One Thousand Seven Hundred and Thirty One, and One Thousand Seven Hundred and Thirty Two.

Ordered, That the said Petition be refer'd to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Motion being made, the Question was put, That Leave be given to bring in a Bill to amend the Law in relation to the Office of Sheriff.

It passed in the Negative.

A Motion being made, the Question was put, That Leave be given to bring in a Bill for more effectual obliging Persons to buy and sell by Weights and Measures, according to the *English* Standard.

Resolved in the Affirmative.

Ordered, That the Committee for Courts of Justice, do prepare and bring in the said Bill.

A Claim of *James Fontaine*, for a Public Service therein mentioned, was presented to the House, and received.

Ordered, That the same be refer'd to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Attorney General*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration several other Propositions and Grievances, from several Counties, and had agreed upon a Report thereupon; which he read in his Place, and afterwards deliver'd in at the Table, where it was again read, and is as follows:

On Consideration of a Proposition, from *Goochland* County, That a Law be made, for the Disallowance of Lawyers Fees, for the future, in Bills of Costs, on Petition for small Debts, It is the Opinion of the Committee, that the same is reasonable.

On Consideration of a Proposition from *Spotsylvania* County, that the said County be divided, It is the Opinion of the Committee, that the said County ought to be divided, and made Two distinct Counties.

On Consideration of a Proposition, from *Henrico* Parish, in the County of *Henrico*, That the said Parish be divided by *James* River; and that all that Part of the same on the *North* Side of the said River, be erected into one distinct Parish; and all that other Part thereof, on the *South* Side the said River, together with that Part of *Bristol* Parish, on the *North* Side of *Appamattox* River, be erected into one other distinct Parish; It is the Opinion of the Committee, that the said Parish ought to be so divided.

On

On Consideration of a Proposition from *Hanover County*, That a Law be made, to lengthen the Season for Killing of Deer; to lessen the Penalty for Killing them at unreasonable Times of the Year, and to make it recoverable before a single Justice of the Peace; It is the Opinion of the Committee, That that Part of the said Proposition for Lengthening the Season, be rejected; and as to the other Part of the said Proposition, That the Penalty be reduced to Twenty Shillings for each Offence; to be recovered, by the Informer, before a single Justice of the Peace, one Moiety to the Use of the Informer, and the other to the Use of the Poor of the Parish wherein the Offence shall be committed.

On Consideration of a Proposition, from *Northampton*, That Witneffes examined upon a *Dedimus Potestatem*, be paid for Attendance; It is the Opinion of the Committee, That the said Proposition be Rejected.

Then the said Report was again read, and agreed unto, by the House.

Ordered, That it be an Instruction to the Committee appointed to prepare and bring in the Bill for appointing several Ferries, and altering several Court Days, to prepare and bring in one or more Clauses, for Dividing the County of *Spotsylvania*, and the Parish of *Henrico*, according to the said Report.

Ordered, That it be an Instruction to the Committee appointed to prepare and bring in the Bill to amend the Laws now in Force, for the more speedy and easy Recovery of small Debts, to prepare and bring in a Clause, for not allowing Lawyers Fees in Suits brought by Petition.

Ordered, That Leave be given to bring in a Bill, for Lessening the Penalties for Killing Deer at Unseasonable Times; and for the better Recovery thereof: And that the Committee for Courts of Justice, do prepare and bring in the said Bill.

A Petition of fundry Inhabitants of the Parish of *Newport*, in the County of *Isle of Wight*, was presented to the House, and read; setting forth, That when the Dividing Line was run, between the said County, and the County of *Nansemond*, a small parcel of Land, on the Head of the *Western Branch* of *Nansemond River*, which before belong'd to *Nansemond County*, was taken into the said Parish of *Newport*; that the Inhabitants of that Part of the said Parish, refuse to pay their Levies, pretending to some Exemption; and praying, that an Act may pass, to compel them to pay their Levies in the said Parish of *Newport*.

Ordered, That the said Petition be refer'd to the Consideration of a Committee; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

And a Committee was appointed of the following Persons:

Mr Attorney General,

Mr Simmons,

Mr Robert Bolling,

Mr Applewhaite,

Mr Lear, and

Mr Gray,

Mr Ravenscroft.

And they are to have Power to fend for Persons, Papers and Records, for their Information.

Ordered, That Mr Fox have Leave to be absent from the Service of the House. 'til Monday next.

Ordered, That this House be adjourned 'til To-morrow Morning Eleven a Clock.

Saturday, August 31, 1734.

Ordered, That it be an Instruction to the Committee to whom it is refer'd to prepare and bring in a Bill for Encouraging the Killing of Squirrels and Crows, that they have Power to receive a Clause, to exempt the Inhabitants of any Town from being obliged to kill Squirrels and Crows.

Ordered, That Mr Randolph have Leave to be absent from the Service of the House, 'til Tuesday next.

Ordered, That the House be adjourned 'til Monday Morning Eleven a Clock.

Monday,

Monday, September 2, 1734.

MR. *Anderson* moved for Leave to present a Bill, to explain and amend an Act, entitled, *An Act for restraining the Taking of excessive Usury*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Attorney General* presented to the House, according to Order, a Bill to amend the Law in relation to the Escape of Prisoners committed for Debt; and the same was receiv'd, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That Mr *John Bolling* have Leave to be absent from the Service of the House, 'til *Wednesday* next.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken, by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and subscribed the Test, and taken the Oath of a Burgess, was admitted to his Place in the House.

A Petition of *Edwin Conway*, and *James Ball*, Gent. Executors of the last Will and Testament of *Charles Burges*, Gent. deceas'd, was presented to the House, and read, setting forth, That the said *Charles Burges* died seised in Fee, of Thirty Six Thousand Seven Hundred and Twenty Six Acres of Land, in the Counties of *Prince William* and *Spotsylvania*, besides Negros, and personal Estate; that his Debts exceed the Value of his personal Estate and Negros, besides Legacies; and praying, That Leave may be given to bring in a Bill to enable them to sell Seventeen Thousand Seven hundred and Seventy Seven Acres of the said Land, Part of the said Thirty Six Thousand Seven Hundred and Twenty Six Acres, for the Payment of the Debts and Legacies of the said *Charles Burges*.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition: And that Mr *Merriwether*, Mr *Hedgman*, and Mr *Prefly*, do prepare and bring in the same.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, further to consider the Governor's Speech; and after some time spent therein, Mr *Speaker* resumed the Chair: And, Mr *Attorney General* reported from the Committee, That they had had another Part of the Governor's Speech under Consideration, and were come to several Resolutions thereupon, which they had directed him to report to the House; and he delivered the Report in at the Table, where the same was read.

Ordered, That the Consideration of the said Report be put off 'till To-Morrow.

Mr *Attorney General* also acquainted the House, That he was directed by the Committee, to move that they may have Leave to sit again.

Resolved, That this House will, upon this Day Sevensnight, again resolve itself into a Committee of the whole House, to consider further of the Governor's Speech.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, September 3, 1734.

O*rdere*d, That Mr *Fleming* be added to the Committee for Courts of Justice.

A Petition of Mr *Matthew Kemp*, Clerk of the Secretaries Office of this Colony, was presented to the House, and read; praying, That his usual Allowance of Five Thousand Pounds of Tobacco a Year, from the Beginning of the last Session, to the Beginning of this present Session of Assembly, may be levied for him: And that, in Regard of the very great Increase of the Business of that Office, since the first Settlement of the said Allowance, and in Consideration of his Trouble and Pains about

about the Arraignment and Trial of Criminals in the General Court, such an additional Allowance be made him, as to the House shall seem meet:

Resolved, That an additional Allowance be made to the Clerk of the Secretary's Office, for extraordinary Services in that Office.

Ordered, That the said additional Allowance, be Two Thousand Five Hundred Pounds of Tobacco, *per Annum*.

Ordered, That it be an Instruction to the Committee for Public Claims, to make the usual Allowance to Mr *Matthew Kemp*, Clerk of the Secretary's Office, according to the Prayer of his said Petition.

Ordered, That it be also an Instruction to the said Committee, to allow him the said additional Salary.

A Bill to explain and amend an Act, intituled, *An Act for restraining the taking of excessive Ufury*, was read a second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons: Mr *Anderfon*, Mr *Merriwether*, Mr *Attorney General*, Mr *Martin*, and Mr *Fleming*.

A Bill to amend the Law in relation to the Escape of Prisoners committed for Debt, was read a second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

The House, according to Order, proceeded to the Consideration of the Report from the Committee of the whole House; and the same was twice read, and, with an Amendment, agreed unto by the House, as follows, *viz*.

Resolved, That the poorer sort of People, who are not able to purchase Arms, be exempted from Mustering.

Resolved, That the Court Martial shall judge of the Abilities of Persons to be obliged to muster in the Militia.

Resolved, That the People commonly call'd *Quakers*, of Ability to serve in the Militia, be excused from personally appearing in Arms at Musters, by sending a Man to muster in their Stead.

Resolved, That a Penalty be laid on the Captain, or Commanding Officer, attending at any Muster, who shall omit to return the Names of all such Persons who shall fail to appear at such Muster, not being prevented by Sicknefs.

Resolved, That a Penalty be laid on the Officers who shall fail to give their Attendance at any Court Martial, so that such Court can't be then held; recoverable by the Informer.

Resolved, That a Penalty be laid on the Lieutenant, or Chief Commanding Officer, resident in any County, who shall fail to appoint a General Muster once a Year; recoverable by the Informer.

Resolved, That if any Sheriff neglects his duty, in relation to the Collecting, Levying, and Paying the Fines assessed by a Court Martial; upon a Motion in the General Court, or County Court, a Judgment, shall be given against him for what he has levied and refuses to pay; and for refusing to levy the Fines, he shall be fined at the Discretion of such Court.

Resolved, That the Fines be paid to the County Lieutenant, or other Chief Commanding Officer, residing within the County; and shall be by him accounted for to the Court Martial: And if he shall fail to account, the Court Martial shall have Power to order Process to recover the same out of his Hands.

Resolved, That after every Court Martial, the Clerk of such Court shall deliver to the Sheriff, all the Orders of that Court for fining Delinquents: And that the Sheriff be empower'd, upon Non-Payment to levy the same by Distress and Sale of the Goods of the Party, without further Warrant.

Resolved, That when the Commanding Officer shall order any Person to appear under Arms at Church, or to patrol, any Person failing, shall be fined, as for failing to appear at a Muster.

Resolved,

Resolved, That the Militia, except in Times of Danger, ought to be exempted from attending the Batteries: But that there ought to be an Officer and a small Number of Men, constantly kept in Pay, and disciplin'd for that Service; the Expence whereof to be defray'd by the Revenues of Tonnage and Two Shillings a Hoghead.

Resolved, That the Adjutant General, and his Servant and Horses, ought to be exempted from paying Ferriages.

Ordered, That Leave be given to bring in a Bill, for better settling the Militia, pursuant to the said Resolutions: And that M^r Martin, M^r Francis Willis, M^r Armistead, M^r Robinson, M^r Robert Bolling, and M^r Ravenscroft, do prepare and bring in the same.

A Petition of *John Aylett*, refer'd by the Council, to the Consideration of this House, was read; setting forth, That the Inhabitants of the Upper Parts of the Counties of *King William* and *Caroline*, who bring down their Tobacco to *Aylett's* Warehouse, undergo great Hardships, for want of some Public House of Entertainment for themselves, and the Reception of their Horses; That the Petitioner is willing to keep an Ordinary there; but by the Laws now in Force cannot obtain a License, an Ordinary and Ferry being kept not far from the said Warehouse, tho' very inconvenient; that a Public Ferry at the Place aforesaid, will be of great Use and Conveniency to the Inhabitants of the said Counties; and praying, that an Act may pass, to enable him to keep a Public Ferry and Ordinary, at the said Warehouse.

Resolved, That the said Petition be rejected.

The Order of the Day being read, the House proceeded to the Consideration of the Report from the Committee for Courts of Justice; and the same was read.

And the Report being read a second Time, Part thereof was agreed to, by the House, as follows:

Resolved, That the Act made in the 5th and 6th Years of the Reign of his present Majesty, entituled, *An Act to Revive and Continue certain Parts of an Act, for ascertaining the Fees of certain Officers; and for better settling the Fees of County Court Clerks, and Sheriffs, and of Attorneys, in Causes depending in the County Courts, to be allowed in the Bill of Costs; and for settling the Fee for summoning Witnesses in Controversies depending before the Governor and Council, and ascertaining the Allowances to such Witnesses*; which will expire at the End of this Session of Assembly, be further continued.

Resolved, That one other Act, made in the same Years, intituled, *An Act to continue the Act for making more effectual Provision against Invasions and Insurrections*; which will expire March 30, 1736, be further continued.

Then a Debate arose, upon the Third Resolution of the said Committee, That an Act made in the 5th and 6th Years of His Majesty's Reign, intituled, *An Act for laying a Duty upon Slaves, to be paid by the Buyers*; which will expire July 1, 1736, is fit to be further continued:

And the Question was put thereupon, that the House do agree to the said Resolution. The House divided, Yeas 28. Noes 23. And so it was

Resolved in the Affirmative.

Then a Debate arose, upon the Fourth Resolution of the said Committee, That another Act, made in the same Years, intituled, *An Act for laying a Duty upon Liquors*; which will expire July 31, 1736, is fit to be further continued:

And the Question was put, That the House do agree to the said Resolution. The House divided, Yeas 25. Noes 25. M^r Speaker Yea. And so it was

Resolved in the Affirmative.

Ordered, That Leave be given to bring in one or more Bills, for further Continuing the several Acts mentioned in the said Report: And that the Committee for Courts of Justice, do prepare and bring in the same.

Ordered, That the House be adjourned, 'til To-morrow Morning Eleven a Clock.

** Note, In the Proceedings of Thursday last, Page 14, Line 25, instead of the Word Lancafter, please to read the Word Nanfemond.

Wednesday,

Wednesday, September 4, 1734.

A Petition of *Robert Bernard*, and *Charles Tomkies*, Gent. was presented to the House, and read; praying, That Leave may be given to bring in a Bill, to dock the Intail of Two Hundred and Fifty Acres of Land, whereof the said *Robert Bernard* is seised in Tail Male, in the Parish of *Petfworth*, in the County of *Glocester*, and Vesting the same in *Charles Tomkies*; and to settle Four Hundred Acres of Land, in the Parish of *Kingstone*, in the County aforesaid, whereof the said *Charles Tomkies* is seised in Fee, of greater Value, upon the said *Robert Bernard*, to the same Uses, according to an Agreement made between them.

Ordered, That Leave be given to bring in a Bill, according to the prayer of the said Petition: And that *Mr Francis Willis*, *Mr Armistead*, *Mr Martin*, and *Mr Henry Willis*, do prepare and bring in the same.

A Petition of *Miles Wills*, was presented to the House, and read; praying, that he may be admitted to keep a Public Ferry over *James River*, from his own Landing, in *Mulberry Island*, in *Warwick County*, to *Kee's Plantation*, in the County of *Isle of Wight*.

Ordered, That it be an Instruction to the Committee to whom it is refer'd to prepare and bring in a Bill for appointing several Ferries, and altering several Court-Days, That they have Power to receive a Clause, for erecting a Ferry, according to the Prayer of the said Petition.

Two Members returned upon new Writs, having taken the Oaths appointed to be taken, by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and subscribed the Test, and taken the Oath of a Burgesses, were admitted to their Places in the House.

A Petition of *Mr William Aylett*, was presented to the House, and read; complaining of an undue Election and Return of *Mr Daniel McCarty*, to serve as a Burgesses in this Present General Assembly, for the County of *Wexmorland*.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Privileges and Elections; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Mr William Fantleroy*, was presented to the House, and read; complaining of an undue Election of *Mr Daniel Hornby*, to serve as a Burgesses in this present General Assembly, for the County of *Richmond*.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Privileges and Elections; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That it be an Instruction to the said Committee, That they examine all Witneses touching the Matter of the said Petitions, in the most solemn Manner.

Mr Attorney General reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, a Grievance of divers Persons inhabiting near *York Town*, in the County of *York*; who complain, That the Inhabitants of that Town keep great Numbers of Horses, Sheep, and Hogs, which run on the adjacent Lands, to the great Damage of the Owners of those Lands: And were come to a Resolution to reject the said Grievance; and he read the said Resolution in his Place, and afterwards deliver'd it in at the Table, where the same was again read.

Whereupon a Debate arose, and the Question was put, That the House do agree to the said Resolution.

It passed in the Negative.

Ordered, That Leave be given to bring in a Bill, to restrain [restrain] the Inhabitants of the Town of *York*, aforesaid, from keeping too great a Number of Cattle, Horses, Sheep, or Hogs: And that *Mr Smith*, *Mr Robert Bolling*, *Mr Martin*, *Mr Francis Willis*, and *Mr Armistead*, do prepare and bring in the same.

A Claim, from *Prince George* County, for Tobacco remaining unpaid of what was levied to be paid to the said County, the last Session of Assembly, by the County of *Surry*:

And a Claim, from the said County of *Prince George*, for Tobacco remaining unpaid of what was levied to be paid to the said County, the same Session, by the County of *Isle of Wight*, were presented to the House, and read.

Ordered, That the said Claims be refer'd to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Robinson* reported, from the Committee for Courts of Justice, That the Committee have (according to Order) examined the Expence of Executing the Act for *Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs*, as they find the same charged in the Treasurer's Accounts; and prepared Two Accounts, containing the State of the Public Warehouses, in the Years 1732, and 1733, and how much every distinct Head of such Expence amounts to; which he presented to the House.

Ordered, That the said Accounts do lie on the Table, to be perused by the Members of the House.

Mr *Attorney General* reported, from the Committee to whom the Bill to amend the Law in relation to the Escape of Prisoners committed for Debt, was committed, That the Committee had made an Amendment to the Bill, which they had directed him to report to the House; and he read the same in his Place, and afterwards deliver'd the Bill, with the Amendment, in at the Table, where the said Amendment was read: And, upon the Question put, was disagreed to, by the House.

Then a Motion was made, and the Question put, That the Bill be re-committed to a Committee of the whole House.

It passed in the Negative.

Resolved, That the Bill be rejected.

Ordered, That it be an Instruction to the Committee to whom it is refer'd to prepare and bring in a Bill, further to continue an Act, made in the 5th and 6th Years of the Reign of his present Majesty, intituled, *An Act to Revive and Continue certain Parts of an Act, for ascertaining the Fees of certain Officers; and for better settling the Fees of County Court Clerks, and Sheriffs, and of Attornies in Causes depending in the County Courts, to be allowed in the Bill of Costs; and for settling the Fee for summoning Witnesses in Controversies depending before the Governor and Council; and ascertaining the Allowance to such Witnesses, to make such Amendments as they shall find necessary, for better Regulating and Collecting those Fees.*

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Thursday, September[ber] 5, 1734.

A Petition of sundry Inhabitants of the Upper Part of *New-Kent* County, and Parts adjacent, was presented to the House, and read; representing, the great Advantage and Conveniency of the Public Warehouse, at *Chamberlayne's*, heretofore called and known by the Name of *Peasly's* Landing, in the County aforesaid; and praying, that the same may be continued so long as the Law shall be in Force, for the Inspection of Tobacco.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of the whole House; to whom it is refer'd, to consider of the Heads of a Bill, further to continue and amend the Act made in the 3d and 4th Years of His Majesty's Reign, for *Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs.*

A Petition of *Anne Freeman*, Widow, and *Robert Freeman*, Son and Heir apparent of the said *Anne, Elizabeth Shackelford*, Widow, and *James Shackelford*, Son and Heir apparent of the said *Elizabeth*, and *Henry Willis*, was presented to the House, and read; praying,

praying, That Leave may be given to bring in a Bill, to dock the Intail of Nine Hundred Acres of Land, with the Appurtenances, in the Parish of *Ware*, and County of *Glocester*; and of Two Hundred and Fifty Acres of Land, in the Parish of *Hampton*, in the County of *Elizabeth City*; whereof the said *Anne Freeman*, and *Elizabeth Shackelford*, were lately seisd in Fee-Tail, as Coparceners; and to Vest the same in the said *Henry Willis*, to whom they have convey'd their Estate and Interest therein; and to settle Two Plantations, a Water Grift-Mill, and Two Thousand Acres of Land, in the Fork of *Rappahanock*, in the County of *Spotsylvania*, and Eight Slaves of greater Value, which the said *Henry Willis* is willing to settle, to the Uses of the laid [said] Intail'd Lands.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Francis Willis*, Mr *Armistead*, Mr *Augustine Smith*, Mr *Hedgman*, Mr *Sweny*, and Mr *Hollier*, do prepare and bring in the same.

A Member return'd upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and subscribed the Test, and taken the Oath of a Burgess, was admitted to his Place in the House.

Mr *Eskridge*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration, the Petition of Mr *William Aylett*, complaining of an undue Election, and Return, of Mr *Daniel McCarty*, to serve as a Burgess in this present General Assembly, for the County of *Westmorland*.

And a Petition of Mr *William Fanleroy*, complaining of an undue Election of Mr *Daniel Hornby*, to serve as a Burgess in this present General Assembly, for the County of *Richmond*.

That the Parties propose to take the Depositions of Witneses in the Country, touching the Right of the said Elections; and that the Committee desire the Direction of the House therein.

Ordered, That it be an Instruction to the said Committee, to examine Witneses upon the Matter of the said Petitions, respectively, *viva voce*.

Mr *Eskridge* also reported, from the said Committee, that the Petitioners respectively complain, That several Persons who voted for the said Mr *Daniel McCarty*, and Mr *Daniel Hornby*, respectively, and were sworn to their Freeholds, at the Time of the said Election, were not Freeholders: And that the Committee desire the Direction of the House, whether they shall hear any Evidence to that Matter.

A Debate arose thereupon, and Part of an Act made in 4th Year of the Reign of the late Queen *Anne*, for *Regulating the Election of Burgeses, for settling their Privileges, and for ascertaining their Allowances*, was read; and thereupon,

Ordered, That it be an Instruction to the said Committee, That they receive no Evidence touching the Freeholds of Persons who made Oath to their Freeholds before the Sheriff, at the Time of the said Elections, respectively.

Then a Motion was made, and the Question put, That it be a further Instruction to the said Committee, that they receive no Evidence touching any Person's Freehold, whether such Person hath made such Oath of his being a Freeholder, or not.

It passed in the Negative.

Ordered, That it be an Instruction to the said Committee, That they do direct the Sherifs of the said Counties, respectively, to examine such Persons who gave their Vote at either of the said Elections, and were not sworn to their Freeholds, as either Party shall require, upon Oath; and return their Examinations to the said Committee.

Mr *Attorney General* presented to the House, according to Order, a Bill for Dividing the Parish of *Henrico*; and the same was receiv'd, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the Accounts of the Expence of Executing the Act for *Amending the Staple of Tobacco*, which were laid before the House Yesterday, be refer'd to the Consideration of the Committee of the whole House; to whom it is refer'd to consider

of

of the Heads of a Bill, further to Continue and Amend the Act made in the 3rd and 4th Years of His Majesty's Reign, *For Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs.*

The House, according to Order, resolv'd itself into the said Committee; and after some Time spent therein, Mr *Speaker* resum'd the Chair; and Mr *Attorney General* reported, from the Committee, That the Committee had had under their Consideration the Matter to them refer'd, and made some Progress therein; but not having Time to go thro' the same, the Committee had directed him to move, that they may have Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider of the Heads of the said Bill, To-morrow.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Friday, September 6, 1734.

Ordered, That Mr *Robert Bolling* have Leave to be absent from the Service of the House, 'til *Wednesday* next.

Mr *Attorney General*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, a Grievance from *Nanfemond* County, and also a Proposition from the said County; and were come to several Resolutions thereupon; which he read in his Place, and afterwards deliver'd the Report in at the Table.

Ordered, That the Consideration of the said Report be put off 'til To-morrow.

The House, according to Order, resolv'd itself into a Committee of the whole House, to consider of the Heads of a Bill, further to Continue and Amend the Act, made in the 3d and 4th Years of His Majesty's Reign, *For Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs*; and after some Time spent therein, Mr *Speaker* resum'd the Chair; and Mr *Attorney General*, reported from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd, and made a further Progress therein; but not having Time to go thro' the same, the Committee had directed him to move that they may have Leave to sit again.

Resolved, That this House will, To-morrow, again resolve itself into a Committee of the whole House, further to consider of the Heads of the said Bill.

Ordered, That Mr *Simmons* have Leave to be absent from the Service of the House, 'til *Wednesday* next.

Ordered, That the Accounts of the several Inspectors, which have been already brought in, pursuant to the Address of this House to the Governor, be refer'd to the Consideration of the Committee for Courts of Justice: That they examine the several Articles thereof; and draw up a State of the same, distinguishing how much every distinct Head of Expence amounts to; and report the same to the House: And, That such of the said Accounts as shall hereafter be brought in, be likewise refer'd to the said Committee.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Saturday, September 7, 1734.

A MEMBER return'd upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and subscribed the Test, and taken the Oath of a Burgess, was admitted to his Place in the House.

A Motion was made, That the Order of the Day, for resolving into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill, be put off: And thereupon the Question was put, and

Resolved,

Resolved, That this House will, on *Monday* next, resolve itself into a Committee of the whole House, further to consider of the Heads of the said Bill.

A Petition of *George Broach*, of *King* and *Queen* County, was presented to the House, and read; setting forth, That being out of the said County upon urgent Business when the Court for Proof of Public Claims was appointed to be held, and at the Time of holding the said Court, he had no Notice thereof; and praying to be allow'd a Claim of Two Hundred Pounds of Tobacco, for taking up a Runaway Servant Man, belonging to Captain *Henry Fitzhugh*, of *Stafford* County, which he had proved before a Justice of the Peace.

Ordered, That the said Petition be refer'd to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *William Ford* was presented to the House, and read; setting forth, That he having been Constable for the County of *James-City*, and also for the City of *Williamsburg*, three Years, hath been at great Expence and Loss of Time, in taking up Runaway Servants and Slaves, and conveying them over the Rivers between which the said City is situate, occasioned by bad Weather, and the Distance which the Constables live from the other Side of the said Rivers; and praying the Consideration of the House therein, and such Allowance for his Loss of Time, and Charges, as may encourage him for the future to undergo the like Trouble.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

Mr *Attorney General* reported from the Committee of Propositions and Grievances, That the Committee had had under their Consideration a Proposition from the Counties of *Henrico* and *Goochland*, and were come to a Resolution thereupon; which he read in his Place, and afterwards delivered the Report in at the Table.

Ordered, That the Consideration of the said Report be defer'd 'til this Day levennight.

Mr *Anderson* reported, from the Committee to whom the Bill to explain and amend an Act, *For restraining the taking of excessive Ufury*, was committed, That the Committee had made several Amendments to the Bill, which they had directed him to report to the House; and he read the same in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table, where the said Amendments were read, and agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Robinson* presented to the House, according to Order, a Bill, for further continuing the Act, *For making more effectual Provision against Invasions and Insurrections*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Robinson* also, according to Order, presented to the House a Bill, *For destroying Squirrels and Crows*.

And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Petition of fundry Inhabitants of the Town of *York*, was presented to the House, and read, representing, That by Reason of Wooden Chimneys in the said Town, they are in continual Danger of having their Houses and Effects destroyed: That great Numbers of Hogs, Goats, and Sheep, are raised, and suffered to go at large, in the said Town, which are very prejudicial to the said Inhabitants; and praying, That an Act may pass, to prevent the Building any such Chimneys for the future; and, That such as are already built may be pulled down in a reasonable Time after the Passing thereof; and, That no Hogs, Goats, or Sheep, be suffered to go at large in the said Town.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition; and that Mr *Robinson* do prepare and bring in the same.

Mr *Attorney General* presented to the House, according to Order, a Bill for Dividing *Spotsylvania* County; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The Houfe, according to Order, proceeded to the Confideration of the Report from the Committee of Propofitions and Grievances, made Yefterday; and the fame was read, and agreed unto by the Houfe, as follows, *viz.*

Upon a Complaint of fundry Inhabitants of *Nanfemond* County, of the inconvenient Situation of the Clerk's Office, and of a great Lofs they have lately fuftained by a Fire in the Clerk's Houfe, which deftroied the greateft Part of the Records of that County:

Resolved, That the *Secretary* of this Colony hath taken proper Meafures to redrefs the faid Grievance, as to the inconvenient Situation of the Clerk's Office.

Resolved, That all poffible Relief ought to be given to the Perfons concerned in the faid Misfortune; and that the Copies of all Deeds, Wills, and other Writings, of which the Originals are loft, attested by the Clerk of the faid County, be again recorded; and that the Clerk of the faid County do take no more for recording the fame, or for the recording any Original Deed, which hath been, or fhall be made, by Occafion of the faid Accident, for fettling the Right or Title of any Perfon or Perfons, than in other Cafes is or fhall be allowed by Law, for a Copy of any fuch Deed, Will, or Writing.

Ordered, That Leave be given to bring in a Bill upon the faid Refolution; and that the Committee of Propofitions and Grievances do prepare and bring in the fame.

Ordered, That the Houfe be adjourned 'til *Monday* Morning Eleven a Clock.

Monday, September 9, 1734.

MR. *Merriwether* prefented to the Houfe, according to Order, a Bill for the better enabling the Executors of the laft Will and Teftament of *Charles Burgefs*, Gent. deceased, to pay his Debts and Legacies; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

Three Members, return'd upon new Writs, having taken the Oaths appointed to be taken by Act of Parliament, inftead of the Oaths of Allegiance and Supremacy, and taken and fubfcribed the Oath of Abjuration, and fubfcribed the Teft, and taken the Oath of a Burgefs, were admitted to their Places in the Houfe.

Ordered, That M^r *Fitzhugh*, and M^r *William Robinson*, be added to the Committee of Propofitions and Grievances.

M^r *Attorney General* reported from the Committee of Propofitions and Grievances, That the Committee had had under their Confideration a Complaint from *Spotsylvania* County, That the Ferry at *Germana* is not well kept by Col. *Spotswood*, who agrees, that the Court of the faid County may, for the future, appoint fuch Perfon as they think fit to keep the faid Ferry, or a Ferry over the *Rappidan*, at any other Place on his Land, for a moderate Rent, and under reasonable Reftrictions, and were come to a Refolution thereupon; which he read in his Place, and afterwards delivered the Report in at the Table; where the fame was again read, and agreed unto by the Houfe, as follows:

Resolved, That the faid Grievance be refer'd to the Confideration of the next Seffion of Affembly.

A Bill, intituled, *An Act to make void certain Contrads for the paying exceffive Ufury; for the further Discouragement of the unrighteous Practice of taking more than the lawful Intereft; and reducing the Rate of Intereft*, was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That M^r *Anderson*, and M^r *Merriwether*, do carry the Bill to the Council, and defire their Concurrence.

The Queftion being put, That the Order of the Day, for refolving into a Committee of the whole Houfe, to confider further of the Governor's Speech, be put off:

Resolved, That this Houfe will, upon this Day fevennight, refolve itfelf into a Committee of the whole Houfe, further to confider the Governor's Speech.

The House, according to Order, resolv'd itself into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill; and after some Time spent therein, Mr *Speaker* resum'd the Chair, and Mr *Attorney General* reported from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd, and made a further Progress therein; but not having Time to go thro' the same, the Committee had directed him to move that they may have Leave to sit again.

Resolved, That this House will To-morrow again resolve itself into a Committee of the whole House, further to consider of the Heads of the said Bill.

A Petition of Mr *Charles Carter* was presented to the House, and read, Complaining of an undue Election and Return of Mr *John Champ*, to serve as a Burgess in this present General Assembly for the County of *King George*.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Privileges and Elections; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, September 10, 1734.

A PETITION of *Francis Gouldman* was presented to the House, and read; praying, That Leave may be given to bring in a Bill, to dock the Intail of Two Hundred Acres of Land, whereof the said *Francis Gouldman* is seised in Fee Tail, in the Parish of *St. Anne*, in the County of *Effex*, nigh the Mouth of *Occupation Creek*, and to vest the same in *James Garnett*, in Fee Simple; and to settle Four Hundred Acres of Land, in the Parish of *St. George*, in the County of *Spotsylvania*, whereof the said *James Garnett* is seised in Fee, and a Young Negro Woman, of greater Value, which the said *James Garnett* is willing to settle to the Uses of the said intailed Land.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition; and that Mr *Moscoe*, Mr *Dangerfield*, Mr *Thacker*, Mr *Price*, Mr *Henry Willis*, and Mr *Augustine Smith*, do prepare and bring in the same.

A Petition of fundry Inhabitants, and Owners of Houses, in *Gloucester*, in the County of *Gloucester*, was presented to the House, and read; setting forth, That they are apprehensive, that great Damage may happen to their Buildings, and Effects, by Reason of the many Wooden Chimneys in the said Town; and praying the Consideration of the House therein, and such Relief as the House thinks fit.

Ordered, That it be an Instruction to the Committee, to whom it is refer'd to prepare and bring in a Bill to prevent the Building Wooden Chimneys in the Town of *York*, and for pulling down such as are already built, That they have Power to receive a Clause, to prohibit the Building Wooden Chimneys in the Town of *Gloucester*; and for pulling down such as are already built in the said Town.

A Bill for Dividing *Spotsylvania* County, was read the second Time.

Ordered, That the Bill be Ingrossed.

The House, according to Order, resolv'd itself into a Committee of the whole House, further to consider of the Heads of the Tobacco Bill; and after some Time spent therein, Mr *Speaker* resum'd the Chair, and Mr *Attorney General* reported from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd; and made a further Progress therein; but not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will To-morrow again resolve itself into a Committee of the whole House, further to consider of the Heads of the said Bill.

Ordered, That it be an Instruction to the Committee for Courts of Justice, That they do dispatch their Report upon the Inspectors Accounts to them refer'd, as soon as possible.

Mr *Attorney General* inform'd the Houfe, That feveral indirec't and unwarrantable Methods had been made ufe of, and fome unjuft Reflections had been made upon one of the Representatives of the County of *New-Kent*, in order to procure Subfcriptions to the Petition of fundry Inhabitants of the upper Part of the faid County of *New-Kent*, and Parts adjacent, in Relation to the Public Warehouse at *Chamberlayne's*, refer'd to the Confideration of the Committee of the whole Houfe, on *Thursday* laft, as the faid Committee had been informed.

Ordered, That a Committee be appointed, to enquire, by what Methods the faid Subfcriptions were procured to the faid Petition; and that they report the Matter as it fhall appear to them, with their Opinion thereupon, to the Houfe.

And a Committee was appointed accordingly, of the following Perfons:

Mr *Attorney General*,

Mr *Merriwether*,

Mr *Anderfon*,

Mr *Baffet*,

Mr *Bacon*,

Mr *Randolph*, and

Mr *John Robinfon*.

And they are to have Power to fend for Perfons, and Papers, for their Information.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Eleven a Clock.

Wednesday, September 11, 1734

A Member return'd upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inftead of the Oaths of Allegiance and Supremacy, and taken and fubfcribed the Oath of Abjuration, and fubfcribed the Teft, and taken the Oath of a Burgefs, was admitted to his Place in the Houfe.

A Petition of the Veftry of *Elizabeth-River* Parifh, in the County of *Norfolk*, was prefented to the Houfe, and read; fetting forth, That they have purchafed a very convenient Tract of Land, containing One Hundred and Seventy Two Acres, whereon all Conveniences are already erected; and praying, That an Act may pafs, to declare the fame to be a fufficient Glebe for the faid Parifh; and to impower the Veftry of the faid Parifh to difpofe of the old Glebe; and that the Money arifing from the Sale thereof, may be applied by the faid Veftry to the Ufe of the faid Parifh.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the faid Petition; and that Mr *Boufh*, Mr *Wilfon*, Mr *Walke*, Mr *Land*, Mr *Mead*, Mr *Braxton*, and Mr *Whitehead*, do prepare and bring in the fame.

Ordered, That it be an Inftruction to the Perfons appointed to prepare and bring in the faid Bill, That they have Power to receive a Clause, to impower the Veftry of the Parifh of St. *Stephen*, in the County of *King and Queen*, to fell their old Glebe, and to apply the Money arifing by the Sale thereof, to fuch Parochial Ufes as the faid Veftry fhall think fit.

Alfo a Clause, to impower the Veftry of the Parifh of St. *John*, in the County of *King-William*, to difpofe of Part of their old Glebe, and to apply the Money arifing by the Sale thereof, towards the purchafing a better and more convenient Glebe.

A Motion was made, That an Allowance be made to the Representatives of the County of *Accomack*, for croffing the Bay, in order to attend the General Affembly, at the laft Prorogation, having had no Notice thereof; and, after a Debate, the Queftion was put thereupon.

Resolved in the Affirmative.

Ordered, That it be an Inftruction to the Committee for Public Claims, to make the fame Allowance to the faid Representatives, as is allowed by Law for Sloop-hire, and for coming to, and returning from, the General Affembly.

Mr *Attorney General* reported, from the Committee of Propofitions and Grievances, That the Committee had had under their Confideration, a Propofition from the Counties of *Caroline*, and *King-George*, for appointing a Public Ferry, from *Roy's* Warehouse, a-crofs

a-crofs *Rappahannock*, to *Gibson's*, and were of Opinion that the fame was reafonable; and he read the Report in his Place, and afterwards delivered it in at the Table, where the fame was again read, and agreed unto by the Houfe.

Ordered, That it be an Inſtruction to the Committee, to whom it is refer'd, to prepare and bring in a Bill, for Appointing feveral Ferries, and Altering feveral Court Days, that they have Power to receive a Claufe, for fettling a Ferry, according to the faid Report.

A Petition of *Patrick Ferguſon*, Affignee of *Richard Stace*, Affignee of *Malichi Comeing*, was prefented to the Houfe, and read; ſetting forth, That the faid *Comeing* had Three Hogheads of Tobacco burnt in the Public Warehouse at *Falmouth*; and praying the Conſideration of the Houfe therein.

Ordered, That the faid Petition be refer'd to the Conſideration of the Committee for Public Claims; that they do examine the Matter thereof, and report the fame, as it ſhall appear to them, with their Opinion thereupon, to the Houfe.

M^r Attorney General inform'd the Houfe, That Col. *Spotswood* had been charged with the Paiment of 400 lb. Tobacco, in the laſt Public Levy, for taking up two Runaway Slaves, which belonged to Mrs. *Mary Harriſon*, deceaſed, the Widow of the late Col. *Nathaniel Harriſon*, as appears by an Affidavit, which he delivered in at the Table.

Ordered, That the faid Claim be refer'd to the Conſideration of the Committee for Public Claims; and that they give Credit to Col. *Spotswood*, for the faid 400 lb. of Tobacco, and charge the fame to the Executors of the faid Mrs. *Harriſon*, if to them it ſeems reafonable.

A Bill, intituled, *An Act for Dividing Spotsylvania County*, was read the third Time.

Resolved, That the Bill do paſs.

Ordered, That *M^r Henry Willis* do carry the Bill to the Council, and deſire their Concurrence.

The Houfe, according to Order, reſolved itſelf into a Committee of the whole Houfe, further to conſider of the Heads of the Tobacco Bill; and after ſome Time ſpent therein, *M^r Speaker* reſum'd the Chair, and *M^r Attorney General* reported from the Committee, That the Committee had had under their further Conſideration the Matter to them refer'd; and made a further Progreſs therein; but not having Time to go thro' the fame, the Committee had directed him to move for Leave to fit again.

Resolved, That this Houfe will To-morrow again reſolve itſelf into a Committee of the whole Houfe, further to conſider of the Heads of the faid Bill.

Ordered, That *M^r Daniel McCarty*, and *M^r Hornby*, have Leave to be abſent from the Service of the Houfe 'til *Wednesday* next.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Eleven a Clock.

Thursday, September 12, 1734.

A Bill, *For Destroying Squirrels and Crows*, was read the ſecond Time, and ſeveral Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingroſſed.

A Bill, *For the better enabling the Executors of the Laſt Will and Teſtament of Charles Burgeſs, Gent. deceaſed, to pay his Debts and Legacies*, was read the ſecond Time.

Ordered, That the Bill be ingroſſed.

A Bill, *For further continuing the Act, For making more effectual Provision againſt Invaſions and Inſurrections*, was read the ſecond Time; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingroſſed.

M^r Francis Willis prefented to the Houfe, according to Order, a Bill, *For Docking the Entail of certain Lands in the Counties of Glouceſter, and Elizabeth-City, and veſting the*

the same in Henry Willis, in Fee Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Attorney General presented to the House, according to Order, a Bill, *To amend the Laws now in Force, for the more speedy and easy Recovery of small Debts.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr John Robinson, from the Committee for Courts of Justice, reported, That the Committee have, according to Order, examined the several Inspectors Accounts, that have hitherto been brought in, and drawn up a State thereof; and he delivered the Report in at the Table.

Ordered, That the said Report be refer'd to the Consideration of the Committee of the whole House; to whom it is refer'd, to consider of the Heads of a Bill, *Further to continue and amend the Act made in the Third and Fourth Years of His Majesty's Reign, For Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs.*

A Petition of *Thomas Dickson*, Serjeant of the Court of *Hustings*, for the City of *Williamsburg*, was presented to the House, and read; setting forth, That the said City is situate in the Counties of *York*, and *James-City*; and the said Court of *Hustings*, and the Magistrates of the City, are impowered to imprison Offenders within the City, as the Justices of Peace of the said County used to do; whereby the Serjeant is oblig'd to maintain such Prisoners, and ought to receive his Fees, to be paid by the Counties; but the said County Courts have refused to allow the Petitioner any Thing; and praying Relief therein.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that *Mr Attorney General*, and *Mr Blair*, do prepare and bring in the same.

The House, according to Order, resolv'd itself into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill; and after some Time spent therein, *Mr Speaker* resum'd the Chair, and *Mr Attorney General* reported, from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd, and made a further Progress therein; but not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow, again resolve itself into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Friday, September 13, 1734.

A Bill, intituled, *An Act for further continuing the Act, For making more effectual Provision against Invasions and Insurrections*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr John Robinson* do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for Destroying Squirrels and Crows*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Conway* do carry the Bills to the Council, and desire their Concurrence.

A Bill, *For Docking the Entail of certain Lands, in the Counties of Gloucester, and Elizabeth-City, and vesting the same in Henry Willis, in Fee Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses*, was read a second Time.

Ordered, That the Bill be committed to the Committee who prepared it; that they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

A Bill, *To Amend the Laws now in Force, for the more speedy and easy Recovery of small Debts*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

The House, according to Order, resolv'd itself into a Committee of the whole House, further to consider of the Heads of the Tobacco Bill; and after some Time spent therein, Mr *Speaker* resum'd the Chair and Mr *Attorney General* reported, from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd, and made a further Progress therein; but not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again, To-morrow, resolve itself into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill.

A Message from the Council, by Mr *Robertson*:

That they have passed a Bill, intituled, An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer; to which they desire the Concurrence of this House.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Saturday, September 14, 1734.

MR. Francis Willis presented to the House, according to Order, a Bill, *To vest certain entailed Lands, with the Appurtenances therein mentioned, in Charles Tomkies, Gent. in Fee Simple; and for settling other Lands, of greater Value, to the same Uses.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

An Ingrossed Bill, from the Council, intituled, *An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer*, was read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Attorney General* inform'd the House, from the Committee to whom it was refer'd, to enquire into the Method that was taken to procure Subscriptions to the Petition presented to the House, for keeping up *Chamberlayne's* Warehouse, That one *Thomas Underwood* was a material Witness to the Matter, and had Notice left at his House to attend the Committee; but that he keeps himself conceal'd, so that the Order of the Committee cannot be serv'd personally upon him.

Ordered, That the said *Thomas Underwood* be sent for, in Custody of the *Serjeant at Arms*, to be examined before the said Committee, upon the Matter to them refer'd.

Mr *Francis Willis* reported, from the Committee, to whom the Bill, *For Docking the Entail of certain Lands in the Counties of Gloucester, and Elizabeth-City, and vesting the same in Henry Willis, in Fee Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses*, was committed, That the Committee had examined the Allegations of the Bill, and found the same to be true; and that the Committee had gone thro' the Bill; and had directed him to report the same to the House, without any Amendment; and he delivered the Bill in at the Table.

Ordered, That the Bill be ingrossed.

A Motion was made, That Leave be given to bring in a Bill, *For the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or Distrained for Rent.*

Ordered, That Leave be given to bring in a Bill according to the said Motion; and that Mr *Conway*, Mr *Hedgman*, Mr *Fitzhugh*, and Mr *Braxton*, do prepare and bring in the same.

A Claim of *William Ford*, in Behalf of himself, and others, by him impressed to guard the Country Goal, by Order of the General Court, was presented to the House, and read.

Ordered,

Ordered, That the said Claim be refer'd to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *John Carter*, and *Charles Carter*, Esqrs. and *Priscilla Carter*, Widow, Relict of *Robert Carter* the Younger, Esq; deceased, was presented to the House, and read; setting forth, That *Robert Carter*, late of *Corotoman*, Esq; deceased, did, by his Last Will and Testament, devise to his Son, the said *Robert Carter*, Jun. divers great and valuable Tracts of Land, with the Appurtenances, and a great Number of Slaves; but the said *Robert Carter*, Jun. dying in the Life Time of his Father, the Right of all the Lands devised to him by the Limitations of the said Testator's Will, are vested in the said *Charles Carter*, and the Slaves descend to the said *John Carter*, eldest Son and Heir of the said Testator, as a real Estate undisposed of; whereby the said Widow, and her Children, remain unprovided for: Yet, the said Testator, after the Death of his said Son, having declared what he intended to do for the said Widow and Children, the Petitioners are willing, that the said Testators' Declaration of his Will, should be fulfilled, which cannot be done without the Assistance of the Legislature; and praying, That Leave may be given to bring in a Bill, to provide for the said Widow, and her Children, according to the Design and Intention of the said Testator.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition; and that Mr *Conway* do prepare and bring in the same.

The House, according to Order, proceeded to the Consideration of the Report from the Committee of Propositions and Grievances, made on *Saturday* last, upon a Proposition from the Counties of *Henrico* and *Goochland*, for settling a Town at *Warwick*, on the Land of *Thomas Howlett*, on the South Side of *James-River*, in the said County of *Henrico*; and the same was read: And thereupon,

Resolved, That the said Proposition be refer'd to the Consideration of the next Session of Assembly.

The House, according to Order, resolv'd itself into a Committee of the whole House, further to consider of the Heads of the Tobacco Bill; and after some Time spent therein, Mr *Speaker* resum'd the Chair, and Mr *Attorney General* reported, from the Committee, That the Committee had had under their further Consideration the Matter to them refer'd, and made a further Progress therein; but not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again, on *Monday* next, resolve itself into a Committee of the whole House, to consider further of the Heads of the Tobacco Bill.

Ordered, That the House be adjourned 'til *Monday* Morning Eleven a Clock.

Monday, September 16, 1734.

A Petition of the late Vestry of *Hanover* Parish, in the County of *King George*, was presented to the House, and read; setting forth, That by an Act of the last Session of Assembly, for altering the Parishes in the said County, the

Glebe of the said Parish was to be sold by the Vestry of the Parish of *Brunswick*, who were to keep in their Hands their Proportion of what it should be sold for, according to the Number of Tithables in that Parish, before the Parish of *Hanover* was divided; and the Residue was to be paid to the present Parishes of *Hanover*, and *Hamilton*: That about Three Hundred and Sixty Tithables are taken into the Parish of *Hanover*, from the dissolved Parish of *Sittenburn*, who never paid any Thing towards Buying the said Glebe, or Building thereon; and that there were hardly Twenty Tithables in that Part of *Hanover* Parish which is now taken into the Parish of *Hambleton*; and the greatest Part of them, at the Time of purchasing the said Glebe, and making the Improvements upon the same, had not sufficient to pay their Levies; but are now increased to near Two Hundred and Fifty: That the said Glebe, and Improvements, have been sold for Two Hundred and Fifty Five Pounds current Money, of which the Inhabitants

of those Parts of the said Parishes claim their Proportion; and praying the Consideration of the House therein, and such Relief as the House shall think fit.

Ordered, That it be an Instruction to the Persons, appointed to prepare and bring in a Bill, *For Selling several Glebes*, That they have Power to receive a Clause, or Clauses, for Relief of the Petitioners, according to the prayer of the said Petition.

A Bill, intituled, *An Act for the better enabling the Executors of the Last Will and Testament of Charles Burgefs, Gent. deceased, to pay his Debts, and Legacies*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Martin do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for Docketing the Entail of certain Lands in the Counties of Gloucester, and Elizabeth-City, and vesting the same in Henry Willis, in Fee Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Francis Willis do carry the Bill to the Council, and desire their Concurrence.

The Question being put, That the Order of the Day, for resolving into a Committee of the whole House, further to consider the Governor's Speech, be put off:

Resolved, That this House will, upon this Day sevensnight, resolve itself into a Committee of the whole House, further to consider the Governor's Speech.

Mr Attorney General presented to the House, according to Order, a Bill, *For appointing several new Ferries, and altering several Court Days*. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the State of the Accounts of the Expence of Executing the Tobacco Law, for the Three Years the same has subsisted, be printed.

A Bill, *To vest certain Entailed Lands, with the Appurtenances therein mentioned, in Charles Tomkies, Gent. in Fee Simple; and for settling other Lands, of greater Value, to the same Uses*, was read the second Time.

Ordered, That the Bill be committed to a Committee; that they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

And a Committee was appointed accordingly, of the following Persons: Mr Francis Willis, Mr Armistead, Mr Thacker, and Mr Price.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider of the Heads of the Tobacco Bill; and after some Time spent therein, Mr Speaker resum'd the Chair, and Mr Attorney General reported from the Committee, That the Committee had had under their further Consideration, and gone through, the Matter to them refer'd; and were come to several Resolutions thereupon, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received To-morrow.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, September 17, 1734.

MR. Attorney General, according to Order, reported, from the Committee of the whole House, to whom it was refer'd to consider of the Heads of a Bill, *Further to continue and amend the Act made in the Third and Fourth Years of His Majesty's Reign, For Amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*, the Resolutions they had directed him to report to the House; and he delivered the Resolutions in at the Table, where the same were read.

And the first of the said Resolutions was read a second Time: And Two Petitions of the Inhabitants of the County of Prince-George, for keeping up Powel's-Creek Warehouse, were also read.

Then

Then the said Resolutions were read through, and, with some Amendments, agreed unto by the House, as follows:

Resolved,

That the following Public Warehouses be repeal'd, To-wit, *Brandon, Mumford's, Warwick'squeak, Powell's Creek, and Chamberlayne's*; and that in the Room of *Powell's Creek* Warehouse, a new Warehouse be erected at *Mr Ravenscroft's*, in the County of *Prince-George*; and in the Room of *Chamberlayne's*, another Warehouse to be erected at *Richard Littlepage's*, in the County of *New-Kent*.

Resolved, That the Public Warehouses, at *Shockoe's*, in the County of *Henrico*, at *Marlborough*, in the County of *Stafford*, and *Pohick*, in the County of *Prince-William*, be repealed, after the 10th Day of *November*, in the Year 1735, and that other Warehouses be built: In the Room of *Shoccoe's*, upon the Land of *Wiltshire Marrin*, in the County of *Henrico*, now in the Occupation of one *Wilkinson*; and instead of *Marlborough*, at the most convenient Place at or near the Head of *Acquia*, in the County of *Stafford*; and instead of *Pohick*, at some more convenient Place, to be appointed; and that the Rents for the said Warehouses to be repealed, be paid for the ensuing Year, as follows, *To wit*, *Shockoe's* at Thirty Five Pounds, *Marlborough* at Six Pounds, *Pohick* at Five Pounds.

Resolved, That the following Public Warehouses, before established under different Inspections, be now united under one Inspection; *To wit*, *Princess-Anne* and *Norfolk*, *Nassawaddox* and *Pungoteague*, *Hunger's* and *Cherrystone's*, *Pitts's* and *Guilford's*, *Hogg-Neck* and *Taskanask*; and that the Warehouse at *Roy's*, in the County of *Caroline*, and the Warehouses at *Gibson's*, in the County of *King-George*, heretofore under one Inspection, be hereafter under two Inspections.

Resolved, That the Rents of the Public Warehouses heretofore settled by Commissioners, and the Rents of the Warehouses hereafter to be built, be reduced to, and settled at, the following Rates, *per Annum, viz.*

	1.		1.		1.
Warwick,	20	Turkey-Island,	10	Soans's,	10
Col. Bolling's at Appo-	20	Mr Ravenscroft's,	10	Grey's-Creek,	6
mattox,		Bermuda Hundred,	10	Wainwright's,	15
John Bolling's, over	5	Cabbin-Point,	20	Lawrence's,	15
against it,		Swiniard's,	10	Sleepy-Hole,	10
Constance's,	10	Mantapike,	10	Fredericksburg,	25
Norfolk,	7	Quarles's,	6	Falmouth,	15
Princess-Anne,	4	Aylett's,	20	Wiccocomico,	15
Hampton,	6	Todd's,	20	Coan,	10
Roe's,	10	Kemp's	15	Yeocomico,	15
Denbigh,	8	Corotoman,	7	Nominy,	15
York,	10	Davis's,	7	Mattox,	10
Gloucester Town,	15	Urbanna,	5	Boyd's-Hole,	18
Deacon's-Neck,	15	Deep-Creek,	10	Acquia,	15
Poropotank,	7	Indian-Creek,	10	Quantico,	10
Capitol Landing,	10	Glascock's,	10	The new Warehouse in-	
College Landing,	10	Bowler's,	5	stead of Pohick,	10
Taskanask,	7	Hobb's-Hole,	10	Hunting-Creek,	5
Hog-Neck,	5	Totaskey,	10	Pungoteague,	10
Williams's,	10	Nailor's,	10	Naffwaddox,	5
Littlepage's,	15	Bray's,	10	Hunger's,	5
Merriwether's,	10	Layton's,	15	Pitts's,	5
Page's,	50	Conway's,	12	Cherrystones,	5
Wilkinfon's,	25	Roy's,	15	Guilford's,	5
Shepherd'd's,	12	Gibfon's,	10		

Resolved,

Resolved, That where any Room for the Receiving of Tobacco, or Prizes, or Wharfs, or Repairs, shall hereafter be wanting, the County Courts, respectively, shall order the same to be built and erected by the Owners of such Warehouses; and if they refuse to do it, it shall be done at the Charge of the County; and the Justices of such County shall receive a proportionable Part of the Rent; and if any Difference shall arise between them, the same shall be determined by Appeal to the Governor and Council: And if there shall be an immediate Occasion to hire Houses, before the same can be built, the Charge of hiring Houses shall be born by the County wherein such Warehouses lie.

Resolved, That in all Places, where the Public Warehouses have been built at the Charge of any County, upon the Lands of private People, and where Lands have been taken away, and built upon by other private Persons, the Proprietor shall be restored to his former Right, and receive the Rents hereafter; after he shall reimburse the County, or other private Builder, so much as remains unsatisfied of the Expence of such Buildings.

Resolved, That the Inspectors Salaries, which do not exceed Thirty Pounds *per Annum*, be not lessened; and that the Salaries of Inspectors, at the several Warehouses herein after mentioned, be settled at the Rates following, *per Annum*, viz.

	1.		1.		1.
At Shockoe's, while that		Bermuda,	30	Constance's,	35
Warehouse continues		Turkey-Island,	30	Norfolk, and Princess-	
and afterwards at		Cabbin-Point,	40	Anne,	30
Wilkinson's, to each		Swiniard's,	30	York,	35
Inspector,	40	Soans's,	30	Gloucester,	30
Warwick,	40	Wainwright's,	35	Deacon's-Neck,	40
Appomatox,	40	Lawrence's,	35	College and Capitol	
Taskanask, & Hog-Neck,	35	Sleepy-Hole,	30	Landings,	40
Williams's,	30	Layton's,	35	Quantico,	35
Littlepage's,	35	Conway's,	35	Pohick, and the New	
Shepherd's,	35	Roy's,	30	Warehouse to be	
Mantapike,	35	Gibson's,	40	built in the Room of	
Aylett's,	40	Fredericksburg,	40	it,	30
Todd's,	40	Falmouth,	40	Nassawadox, and Pun-	
Kemp's,	35	Wiccocomico,	35	goteague,	35
Corotoman, and Davis's,	35	Yeocomoco,	30	Hunger's, and Cherry-	
Hobbs's-Hole,	35	Mattox,	35	stone's,	30
Nailor's,	35	Boyd's-Hole,	35	Pitts's, and Guilford's,	30
Bray's,	35	Marlborough, and the			
		New Warehouse to be			
		built in the Room of			
		it,	30		

Resolved, That the Salaries of the Inspectors, not before settled, remain as they were settled under the former Laws.

That hereafter, all Public Dues shall be paid in the County where they arise, except where there is no Warehouse in such County; and then they shall be paid in the next adjacent County, where there is a Warehouse: Except also, That all Notes of the Warehouses hereafter mentioned, shall pass in Payment of Public Dues, in the Counties herein after respectively mentioned: That is to say, The Notes at Kemp's Warehouse, shall pass in Gloucester; Indian-Creek Notes, in Lancaster; Notes of Lawrence's, in the Isle of Wight; Notes of Aylett's, and Todd's, in Caroline; New-Kent Notes, in St. Peter's Parish, in James-City; York, and Roe's Notes, in Warwick; Notes of Conway's, in Spotylvania; Notes of Roe's, in Elizabeth-City; Cabbin-point Notes, in the Isle of Wight; Notes of Accomack, and Northampton, in either County; Notes of Wainwright's, and Appomatox, in Surry; Warwick, and Bermuda Hundred Notes, and Notes of John Bolling's

Bolling's Warehouse, in Prince-George; Mattox's Notes, in Stafford; Cabbin-Point Notes, in Prince-George; Yeocomico Notes, in Northumberland; Falmouth Notes, in Stafford; Notes of Page's, and Merriwether's, in King-William; Princess-Anne, and Norfolk Notes, in either County: Except also, That Notes in Prince-William County shall not pay Levies in the new County of Orange.

And if old Inspectors Notes shall be tender'd, next Year, in Paiment of Levies, the Collector shall deduct 4 *per Cent.* but after the ensuing Year, no old Transfer Notes shall pass in any Paiments. And for settling Disputes about Levying Conveniency, in the County Levies,

Resolved, That no County Credits, but such as by Law or Contract are to be paid with Conveniency, shall be levied on the People, with the Allowance settled by Law for Conveniency.

Resolved, That the owners of all Crop Tobacco shall find Nails for their own Tobacco; and the Inspectors shall receive Six Pence a Hoghead of the Owners of all Transfer Tobacco, over and above the Five Shillings for Inspection.

Resolved, For preventing of Frauds in shipping off, or carrying by Land into another Province, Tobacco that has not passed an Inspection, That the following Provisions be made, *viz.*

That no Tobacco shall be bought or sold, but by Inspectors Notes, under a Penalty both upon the Buyer and Seller.

That a Penalty be laid on Persons carrying Tobacco by Land into *North-Carolina*, and the Penalty, for carrying Tobacco over the River *Potowmack* to *Maryland*, be lessened, and laid upon the Owner, as well as the Person carrying the same.

That no Tobacco shall be carried by Water, to be inspected, out of the District where the same was made, under a Penalty.

That any Justice of Peace, who shall know, or be inform'd of, any Package of Tobacco, of less than Weight, made up for Shipping off, shall have Power to enter any suspected House, by Night or by Day; and to search for, and finding any such Package, to seize and destroy the same: And moreover, the Person, in whose Possession the same shall be found, shall be liable to a Penalty.

Resolved, For the Ease of Shipping and Navigation, That that Part of the Law, which obliges Masters of Ships to pay Four Shillings *per* Hoghead, for Tobacco put on board their Ships; and the Prohibition upon Masters of Ships to fetch Tobacco from the Planters Houses, be repealed.

Resolved, For the better Direction of the several Inspectors in the Execution of their Office, the following Rules be established, *viz.*

That the said Inspectors shall deliver out any light Hogheads, or Parcels of Tobacco, not being stamp'd, to the owner of any of their Notes, which he may carry away, for the better sorting or stemming the same, paying for the Inspection, after the Rate of Five Shillings for every 800 Weight, and so in Proportion for a greater or less Quantity; but such Tobacco shall not be shipped before it be again inspected, under the Penalties in the former Laws; and the Shipper shall pay the Fee for the second Inspection.

That the Owner of any Transfer Notes may, at any Time, receive Hogheads of Tobacco, in Satisfaction of such Notes; and the Inspectors shall take in the said Transfer Notes, and deliver new Crop Notes for such Hogheads, the Owner paying Two Shillings down *per* Hoghead, besides Six Pence for the Nails; and the Inspectors shall afterwards be answerable for the safe keeping of such Tobacco, as they are for Crops.

That the Inspectors shall sell all Transfer Tobacco, which shall not be so receiv'd, and mark'd, before the County Court, which shall be held Yearly, in the Month of *September*, in the County where such Tobacco lies, by public Auction, at such County Court; and shall pay the Money, arising from such Sale, to the Proprietors of such Tobacco respectively.

That all Inspectors, when required, shall be obliged to prize any Hoghead under 800 *lb.* Nett, so as to make it up that Weight; and shall receive for the same as for Transfer Tobacco, making likewise the usual Deductions for what shall be priz'd in.

That

That where the Owner of any Tobacco shall be willing to pick the same, he shall be allowed one Month for doing it; and after that Time, the Inspectors shall be at Liberty to burn it, except Tobacco in a Sweat; having Regard, nevertheless, to the Circumstances and Accidents of Weather: But if any Person shall refuse to pick his Tobacco, it shall be immediately burnt: And when any Tobacco shall be pick'd, the Trash taken out shall be burnt by the Inspectors, the same Day, under a Penalty.

That all Crop Tobacco shall be view'd, when receiv'd out of any Warehouse, if the Owner thereof shall require it.

And, That one Inspector shall attend constantly, from the last of *June*, 'til the County Court to be held Yearly, in *September*, in the County where the respective Warehouses lie, to deliver out Tobacco; and where Two Houses are under one Inspection, One of them shall attend those Houses alternately.

And for the Redressing of Complaints against Inspectors,

Resolved, That any Three Justices of the Peace, not being Inspectors, at any Warehouse, whereof Two shall be of the *Quorum*, shall have Power to hear any Complaints against any Inspector within their County; to visit the Warehouses under their Inspection respectively, for their better Information; and to take the Depositions of Witnesses upon the Matter of Complaint on both Sides; for which Purpose, the Clerk of the County, or some sufficient Person appointed by him, shall attend them, to be paid for such Service by the County; and such Depositions shall be transmitted, with the Matter of Complaint, to the Governor and Council.

Resolved, That where any Houses shall be built hereafter by any Landlords, whereby they may be Sufferers, at the Rents now settled, their Case shall be referred to the Consideration of the next Session of Assembly.

Ordered, That Leave be given to bring in a Bill, pursuant to the said Resolutions; and that the Committee of Propositions and Grievances do prepare and bring in the same.

Ordered, That the House be adjourn'd 'til To-morrow Morning Eleven a Clock.

Wednesday, September 18, 1734.

A Bill, *For Dividing the Parish of Henrico*, was read the second Time.

Ordered, That the Bill be committed to a Committee.

And a Committee was appointed accordingly, of the following Persons:

Mr *Randolph*, Mr *Fleming*, Mr *Simmons*, and Mr *Grey*.

A Petition of the Vestrymen of the Parishes of *Newport*, and *Warwicksqueak*, in the County of *Isle of Wight*, refer'd from the Council to the Consideration of the House, was read; setting forth, That the said Parishes are, in Length, upwards of Sixty Miles; and the Glebes, where the Ministers reside, are situate in the lower Parts of the same, whereby the upper Inhabitants are deprived of the Benefit of Public Worship; and praying, That those Parts of the said Parishes of *Newport*, and *Warwicksqueak*, which lie on the South Side of *Blackwater Swamp*, may be erected into one Parish; and those other Parts of the said Parishes, which lie on the North Side of the said Swamp, may be likewise erected into one other distinct Parish.

Ordered, That it be an Instruction to the Committee, to whom the Bill, *For Dividing the Parish of Henrico*, is committed, That they have Power to receive a Clause, or Clauses, for settling the Bounds of the said Parishes of *Newport*, and *Warwicksqueak*, according to the Prayer of the said Petition.

Ordered, That it be an Instruction to the Committee, to whom it is refer'd to prepare and bring in a Bill, *Further to continue and amend an Act made in the Fifth and Sixth Years of the Reign of his present Majesty*, intitled, *An Act to revive and continue certain Parts of an Act, for ascertaining the Fees of certain Officers; and for the better settling*

settling the Fees of County Court Clerks, and Sheriffs; and of Attornies, in Causes depending in the County Courts, to be allowed in the Bill of Costs; and for settling the Fee for Summoning Witnesses in Controversies depending before the Governor and Council; and ascertaining the Allowance to such Witnesses, That they have Power to receive a Clause, or Clauses, For the better regulating and settling Surveyors Fees.

Mr Francis Willis reported, That the Committee, to whom the Bill, *To vest certain Entailed Lands, with the Appurtenances therein mentioned, in Charles Tomkies, Gent. in Fee Simple; and for settling other Lands, of greater Value, to the same Uses*, was committed, had examined the Allegations of the Bill, and found the same to be true; and that the Committee had gone thro' the Bill, and had directed him to report the same to the House, without any Amendment; and he delivered the Bill in at the Table.

Ordered, That the Bill be ingrossed.

Mr Attorney General reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, a Proposition of fundry Inhabitants of the County of *Prince-George*, for a Division of the said County; and also two Petitions of divers others of the said Inhabitants, against such Division: And a Proposition of the Inhabitants of *Bristol* Parish, for a Division of the said Parish, and were come to a Resolution thereupon; which he read in his place, and afterwards delivered in at the Table; where the same was again read, and, with an Amendment, agreed unto by the House, as followeth, viz.

Resolved, That the said County, and that Part of the said Parish which lies in the same, be divided, from the Mouth of *Namozine* Creek, up the same to the Main (or *John Hamlin's*) Fork of the said Creek; thence up the South, or lowest Branch, to *White-Oak* Hunting Path; and thence, by a South Course, to strike *Nottoway* River: And that all that Part of the said County, below those Courses, be hereafter one distinct County, and Parish: And all that Territory of Land, above the said Courses, bounded Southerly by *Great-Nottoway* River, (which will include Part of the County of *Brunswick*, and Parish of *St. Andrew*,) so far as to take the Ridges between *Roanoak* and *Appamatox* Rivers; and thence, up that Ridge, to the Great Mountains; and Westerly, by the said Mountains; and Northerly, by the Southern Bounderies of *Henrico* and *Goochland* Counties, be erected into one other distinct County, and Parish.

Ordered, That a Bill be brought in, pursuant to the said Resolution; and that the Committee of Propositions and Grievances do prepare and bring in the same.

Mr Lawrence Smith presented to the House, according to Order, a Bill, *To restrain the Inhabitants of the Town of York, from keeping too large a Number of Cattle, and Horses*. And the same was received, and read the first Time.

And a Petition of fundry Inhabitants of the said Town was presented to the House, and read, suggesting several Reasons against passing the said Bill; and praying, That the same may not pass.

Ordered, That the said Bill be read a second Time.

Ordered, That the said Petition be taken into Consideration, at the second Reading of the said Bill.

An Ingrossed Bill from the Council, intituled, *An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer*, was read the second Time.

Ordered, That the said Bill be committed to a Committee of the whole House.

Resolved, That this House do immediately resolve itself into a Committee of the whole House, upon the said Bill, and the House accordingly resolv'd itself into a Committee of the whole House; and after some Time spent therein, Mr Speaker resum'd the Chair; and Mr Conway reported, from the Committee, That they had gone through the Bill, and made several Amendments thereunto; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table.

Ordered, That the said Report be taken into Consideration To-morrow.

Mr Conway presented to the House, according to Order, a Bill, *To vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter, the Younger, who died*
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in his Life Time, in Robert Carter, the Son and Heir of the said Robert Carter, the Younger; and to make Provision for Priscilla Carter, the Widow of the said Robert Carter, the Younger, and Elizabeth Carter, his Daughter. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Thursday, September 19, 1734.

A Petition of *M^r Armistead Churchil* was presented to the House, and read; setting forth, That the Warehouses at *Kemp's* being inconveniently placed, and insufficient to receive all the Tobacco brought thither, he was prevailed upon by the Commissioners for directing the building the Public Warehouses, in the Year 1733, to build a new Warehouse, at the Place aforesaid, for the Yearly Rent of 15 *l. per Annum*, which he has completed to the Satisfaction of the Commissioners, and the Inspectors; and that he has only one Year's Rent now due to him; and, if the Rents of the Public Warehouses shall be reduced by this Assembly, as he is apprehensive they will be, he cannot expect to be reimbursed what he hath expended on the said Building; and praying the Consideration of the House therein.

Resolved, That the said Petition be rejected.

A Bill, intituled, *An Act to vest certain Entail'd Lands, with the Appurtenances therein mentioned, in Charles Tomkies, Gent. in Fee Simple; and for settling other Lands, of greater Value, to the same Uses*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That M^r Francis Willis do carry the Bill to the Council, and desire their Concurrence.

A Bill, *To vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter, the Younger, who died in his Life Time, in Robert Carter, the Son and Heir of the said Robert Carter, the Younger; and to make Provision for Priscilla Carter, the Widow of the said Robert Carter, the Younger, and Elizabeth Carter, his Daughter*, was read the second Time.

Ordered, That the Bill be committed to a Committee; that they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

And a Committee was appointed accordingly, of the following Persons: *M^r Armistead, M^r Basset, M^r Francis Willis, M^r Fleming, and M^r Martin.*

A Bill, *For appointing several new Ferries, and altering several Court Days*, was read the second Time.

And a Petition of *Lewis Burwell, Gent.* was presented to the House, and read; suggesting several Reasons against the passing the said Bill; and praying, the same may not pass.

Ordered, That the said Bill be committed to the Committee who prepared it; and that they do examine the Matter of the said Petition; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the Consideration of the Report from the Committee of the whole House, put off 'til To-day, be further put off, 'til To-morrow.

M^r Attorney General presented to the House, according to Order, a Bill, *For the further amending and continuing an Act, intituled, An Act for Amending the Staple of Tobacco, and Preventing Frauds in His Majesty's Customs.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Friday,

Friday, September 20, 1734.

A Petition of *William Dennis* was presented to the House, and read; setting forth, That he has, with much Application, contriv'd and invented a very useful Machine for the Tilling of Ground; and praying, That Leave may be given to bring in a Bill, for vesting the sole Property of making, vending, and uttering the said Machine, in the Petitioner, and his Assigns, for such a Term of Years as the House shall think reasonable.

Ordered, That the said Petition be refer'd to the Consideration of a Committee; that they examine the Matter thereof, and report their Opinion to the House: And is refer'd to Mr *Merriwether*, Mr *Robert Bolling*, Mr *Randolph*, Mr *Ravenscroft*, Mr *Francis Willis*, Mr *Henry Willis*, Mr *Walke*, and Mr *Fleming*.

Mr *Armistead* reported, That the Committee, to whom the Bill, *To vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter, the Younger, who died in his Life Time, in Robert Carter, the Son and Heir of the said Robert Carter, the Younger; and to make Provision for Priscilla Carter, the Widow of the said Robert Carter, the Younger, and Elizabeth Carter, his Daughter*, was committed, have examined the Allegations of the Bill, and having gone thro' the Bill, have made several Alterations therein, in the Presence, and by the Consent, of all Parties concern'd; who do consent to the Bill as it now stands.

Ordered, That the bill be ingroffed.

A Petition of *Robert Lovell* was presented to the House, and read; praying, That he may be admitted to keep a Ferry from the Place where he now lives, over *Potowmack River*.

Ordered, That it be an Instruction to the Committee, to whom the Bill, *For appointing several new Ferries, and altering several Court Days*, was committed, That they have Power to receive a Clause, for appointing a Ferry, according to the Prayer of the said Petition.

Mr *Eskridge* reported, from the Committee of Privileges and Elections, That the Committee had had under their Consideration, a Petition of Mr *Charles Carter*, to them refer'd, complaining of an undue Election and Return of Mr *John Champ*, to serve as a Burgess in this present General Assembly, for the County of *King-George*; and had examined divers Witneses, produced by both Parties; and heard Counsel, as well on Behalf of the Petitioner, as the sitting Member; and had agreed upon a Report of the Matter thereof, as it appeared to them; which he read in his Place, and afterwards delivered in at the Table; where the same was again read, as follows:

That it appears to this Committee, That Mr *Strother*, Sheriff of the said County of *King-George*, received the Writ for Election of Burgesses for the said County, on *Sunday, August 25*: That the said Sheriff, by his Letter to Mr *Fitzhugh*, dated *August 27*, did purpose to appoint the Day of Election on *Wednesday, September 4*; on which Day, as it was commonly reported in the said County of *King-George*, the Election was expected to be: But, on *Friday August 30*, the said Sheriff concluded and appointed *Monday, September 2*, (which was the Day of Election for the County of *Stafford*,) should be the Day of Election for his County of *King-George*, and accordingly gave public Notice thereof; and it does not appear to this Committee, that there was any Combination or Concert, between the said Sheriff and the sitting Member, for altering the Day of Election at first proposed. It further appears to this Committee, That on the *Friday* before the Election, Mr *Champ*, and Mr *Skinker*, went to the Court-house, where they found a Company of 4 Men, who were Freeholders, and about 20 Women, amongst whom they gave 4 Bottles of Wine; but it does not appear, that the said Wine was by them given, with Intent to procure any Votes thereby. Whereupon the Committee came to a Resolution, which was agreed to by the House, as follows:

Resolved, That Mr *John Champ* is duly elected and returned a Burgess to serve in this present General Assembly, for the County of *King-George*.

Then

Then a Motion was made, and the Question put, That the Sheriff of the said County of *King-George* has been guilty of a Breach of his Duty, in not giving earlier Notice of the Time appointed for the said Election,

It passed in the Negative.

Then a Motion was made, and the Question put, That the Petition of *Mr Charles Carter*, complaining of an undue Election and Return of *Mr John Champ*, to serve as a Burgefs in this present General Affembly, is a frivolous and scandalous Complaint.

It passed in the Negative.

Mr Attorney General presented to the House, according to Order, a Bill, *For the Relief of such Persons as have suffered, or may suffer, by the Loss of the Records of Nanfemond County, lately consum'd by Fire.* And the same was receiv'd, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Robert Bolling reported, from the Committee for Public Claims, That the Committee had had under their Consideration, a Claim of the Keeper of the Public Goal, for 1800 *lb.* Tobacco, for the Imprisonment of *Mr William Major*, who has paid a considerable Sum of Money to the said Gaoler, on that Amount; in which they desire the Direction of the House.

Ordered, That it be an Instruction to the said Committee, to disallow the said Claim.

Mr Robert Bolling also reported, from the said Committee, That the Committee had under their Consideration, the Allowances to be made to the *Venire-Men*, and Witneffes, for attending the Trial of the said *William Major*, who, before his Conviction, was possessed of a considerable Estate, as the said Committee have been informed; in which they also desire the Direction of the House.

Ordered, That it be an Instruction to the said Committee, to make the said Allowances, in the Public Levy.

Ordered, That it be also an Instruction to the said Committee, to deduct out of the respective Claims to them refer'd, what is allow'd by Law for Conveniency, in the respective Counties on which the same are chargeable; and to allow, on each respective Claim, after the Rate of 4 *lb.* Tobacco *per Cent.* for collecting.

Ordered, That the Merits of the Election for the County of *Westmorland*, upon the Petition of *Mr William Aylett*, complaining of an undue Election and Return of *Mr Daniel McCarty*, to serve as a Burgefs for the said County, be heard at the Bar of the House, To-morrow; and that the Committee of Privileges and Elections be discharged from proceeding further on the said Petition.

Mr Attorney General presented to the House, according to Order, a Bill, *To oblige the Justices of James-City and York, to levy Tobacco for certain Officers of the City of Williamsburg.*

Ordered, That the Bill do lie on the Table.

A Bill, *For the further amending and continuing an Act, intituled, An Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*, was read the second Time; and several Amendments were made to the Bill, and several Blanks therein filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Message from the Council, by *Mr Robertson*:

That they have agreed to the Bill, intituled, *An Act for further continuing the Act, For making more effectual Provision against Invasions, and Insurrections.*

Also, to the Bill, intituled, *An Act for Dividing Spotsylvania County.*

Also, to the Bill, intituled, *An Act for Docketing the Entail of certain Lands in the Counties of Gloucester, and Elizabeth-City, and vesting the same in Henry Willis, in Fee Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses.*

Also, to the Bill, intituled, *An Act for the better enabling the Executors of the Last Will and Testament of Charles Burgefs, Gent. deceased, to pay his Debts, and Legacies*, without any Amendment.

And

And, That they have also agreed to the Bill, intituled, *An Act to make void certain Contracts for the paying exceeding Usury; for the further Discouragement of the unrighteous Practice of taking more than the lawful Interest; and reducing the Rate of Interest*, with some Amendments; to which they desire the Concurrence of this House.

Ordered, That the Consideration of the Report, from the Committee of the whole House, made on Wednesday last, put off 'til To-day, be further put off, 'til To-morrow.

Ordered, That the House be adjourn'd 'til To-morrow Morning Nine a Clock.

Saturday, September 21, 1734.

A Petition of the *Nottoway Indian* Tributaries, refer'd from the Council to the Consideration of this House, was read; setting forth, That they are possessed of a Tract of Land, on the South Side of *Nottoway* River, in the Parish of *Warwicksqueak*, and County of *Isle of Wight*; and another Tract, on the North Side of the said River, of three Miles in Circumference round the *Indian* Fort: That by Wars, Sicknefs, and other Casualties, the said Nation is much diminished in its Number of People, as well as reduced, and impoverished; and that the first mentioned Tract of Land will be sufficient hereafter to maintain and support the Remains of the said Nation, and their Posterity; and praying, That, for Relief of themselves, and their Families, for better enabling them to pay their Debts, and for the Maintenance of their ancient Men, Leave may be given to bring in a Bill, to enable the said Nation of *Nottoway Indians* to sell and convey the last mentioned Tract of Land, intire, or in Parcels, in Fee Simple; reserving out of the said Tract, Two Hundred Acres of Land, to be vested in, and appropriated to the Use of the Parish of *Warwicksqueak*, and their Successors, for a Glebe; and that some Persons may be appointed, and authorized, by the said Bill, to assist them in the Sale of the said Lands.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that the Committee of Propositions and Grievances do prepare and bring in the same.

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause, for Discharging the Interpreters to the Tributary *Indians*.

A Bill, *To oblige the Justices of James-City, and York, to levy Tobacco for certain Officers of the City of Williamfburg*, was read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Robinson* presented to the House, according to Order, a Bill, *To prevent the building Wooden Chimneys in the Towns of York, and Gloucester; and for pulling down such as are already built therein; and to restrain Hogs, Goats, and Sheep, from going at large in the said Town of York*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House proceeded to the Hearing of the Merits of the Election for the County of *Westmorland*, upon the Petition of *William Aylett*, Gent. and the Petitioner, and his Counsel, were called in; and an Objection was made to one of the fitting Member's Voters, *John Jervis*, who had refused to take the Oath prescribed by Law, to his Freehold, but had produced a Lease for Life, not recorded, under which he claim'd his Freehold; which was submitted to the Consideration of the House. Then they were order'd to withdraw; and after a Debate, and the Question put,

Resolved, That this House will not examine into the Defects of any Person's Title; but the said *John Jervis*, being in Possession of Lands under such a Lease, tho' not recorded, is a good Voter.

Then the Petitioner, and his Counsel, were again called in, and acquainted with the said Resolution; and the Counsel for the Petitioner went on, and objected to 3 of the fitting Member's Voters, as being Inhabitants of *Maryland*, and not entitled to vote

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by the King's Patent to the Governor of *Virginia*; and to 3 others, being Mulattos, difabled by Law.

Then His Majesty's Patent under the Great Seal of *Great Britain*, at *Westminster*, the 9th Day of *November*, in the first Year of His Reign, appointing the Right Hon. *George Earl of Orkney*, Governor of *Virginia*, was produced, and Part of the Patent in relation to the Calling General Affembles, was read. Then one Witnefs being examined, and three Perfons, faid to be Mulattos, being called in, and infpected by the Houfe, the Counfel went thro' the Petitioner's Evidence; and the fitting Member was heard in his Place; and both Parties being withdrawn, a Debate arofe; and the Queftion being put thereupon,

Refolved, That any Inhabitant of the Province of *Maryland*, who is a Freeholder in any County of this Colony, has a Right to vote at the Election of Burgeffes for fuch County.

Refolved, That Mr *Daniel McCarty* is duly elected and returned a Burgefs to ferve in this prefent General Affembly, for the County of *Westmorland*.

Ordered, That Leave be given to bring in a Bill, *For Defroying Squirrels and Crows*, in the Northern-Neck, and on the Eastern Shore; and that Mr *Conway* do prepare and bring in the fame.

Ordered, That the Houfe be called over on *Monday Morning*, at the firft Sitting.

The Houfe, according to Order, proceeded to the Confideration of the Amendments, reported from the Committee of the whole Houfe, on *Wednesday* laft, to the Ingroffed Bill from the Council, intituled, *An Act for the more eafy Trial of Criminals before Juftices of Oyer and Terminer*. And the fame were read; and, after a Debate, agreed unto by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe hath agreed to the Ingroffed Bill, intituled, *An Act for the more eafy Trial of Criminals before Juftices of Oyer and Terminer*, with fome Amendments; to which they defire their Concurrence.

Ordered, That Mr *Conway* do carry the faid Meffage.

Then the Houfe proceeded to the Confideration of the Amendments propofed by the Council, to the Bill, intituled, *An Act to make void certain Contracts for the paying exceffive Ufury; for the further Difcouragement of the unrighteous Praétice of taking more than the lawful Intereft; and reducing the Rate of Intereft*. And the Amendments were read; and upon the Queftion feverally put, agreed unto by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have agreed to the Amendments by them propofed to the Bill, intituled, *An Act to make void certain Contracts for the paying exceffive Ufury; for the further Difcouragement of the unrighteous Praétice of taking more than the lawful Intereft; and reducing the Rate of Intereft*.

Ordered, That Mr *Martin* do carry the faid Meffage.

Ordered, That Mr *Walke* have Leave to be abfent from the Service of the Houfe, after *Monday*, all the next Week.

A Bill, *For the Relief of fuch Perfons as have fuffered, or may fuffer, by the Lofs of the Records of Nanfemond County, lately confum'd by Fire*, was read the fecond Time.

Ordered, That the Bill be committed to a Committee: And a Committee was appointed accordingly, of the following Perfons: Mr *Blair*, Mr *Randolph*, Mr *Fitzhugh*, and Mr *Thacker*.

A Petition of the Prefident, and Mafters, of the College of *William and Mary*, was prefented to the Houfe, and read; fetting forth, That by the fraudulent Exportation of Tobacco to the Plantations, without being infpected, or enter'd with the Collectors and Naval Officers, the Duty of a Penny *per Pound*, has been for feveral Years declining; and is now fo funk, that it brings in nothing at all: That the like fraudulent Praétices are ufed by the Traders in Skins, and Furs, efpecially thofe near the River *Potowmack*; who by a quick Tranfportation of thofe Commodities over that River, efcape without paying

paying the Duties appropriated to the said College, and are liable to no Penalty after the said Goods are landed on the other Side the said River: That the Salaries for the Support of themselves, and the succeeding Presidents, and Masters, and the Fund for keeping the Fabrick in Repair, being to be raised chiefly out of the said Duties, the said Salaries, and Fund, by Reason of the said Frauds, are now much in Arrear; and praying the Consideration of the House, and such Relief therein as they shall think mete.

Ordered, That the said Petition be refer'd to the Consideration of a Committee of the whole House.

Resolved, That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, upon the said Petition.

Ordered, That the said President, and Masters, be then heard at the Bar of the House, by themselves, or their Counsel, if they think fit, upon the Matter of the said Petition.

A Motion was made, That Leave be given to bring in a Bill, *For the better Direction of Surveyors in the Execution of their Office*.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that the Committee for Courts of Justice do prepare and bring in the same.

Ordered, That the House be adjourned 'til *Monday* Morning Eleven a Clock.

Monday, September 23, 1734.

MR. Conway presented to the House, according to Order, a Bill, *For Destroying Crows and Squirrels, in the Northern-Neck, and on the Eastern Shore*. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Meriwether* reported, That the Committee, to whom the Petition of *William Dennis* was refer'd, have enquired into the Matter of the said Petition; and are of Opinion, That the Use of the Machine therein mentioned, will be advantageous to the Inhabitants of this Colony:

Whereupon, the Question was put, That Leave be given to bring in a Bill, *For vesting the sole Property of vending, making, and uttering the said Machine, in the said William Dennis, and his Assigns*, according to the Prayer of the said Petition.

It passed in the Negative.

Resolved, That the said Petition be rejected.

Mr *Attorney General* laid before the House, an Account of Money receiv'd for the Sale of Lots, in the City of *Williamsburg*, and of several Payments made out of that Money; and the Title of the said Account was read.

Ordered, That the said Account be refer'd to the Consideration of the Committee for Public Claims; that they do examine the several Articles thereof; and report the Balance, as it shall appear to them, to the House.

The House was inform'd, That the *Serjeant at Arms* had sent his Messenger, to take *Thomas Underwood* into Custody, pursuant to the Order of this House; who had withdrawn himself from his usual Habitation, to wait the Conclusion of this present Session of Assembly, and to avoid his Examination before the Committee.

Ordered, That it be an Instruction to the Committee for Public Claims, to enquire into the Matter; to allow to the *Serjeant at Arms* what they think reasonable for his Expence, and Trouble, in sending for the said *Thomas Underwood*, to be charged upon him in the Book of Claims.

The House, according to Order, was called over; and the Names of the absent Members were again called over, and Excuses made for them, which were allow'd by the House.

A Bill, intituled, *An Act for the further amending and continuing an Act, intituled, An Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*, was read the third Time; and an Amendment was made to the Bill, at the Table.

Then a Debate arose, about filling up the Blank in the End of the Bill; and the Question was put, That the Word Six be therein inserted. The House divided, Yeas 26, Noes 34; and so,

It passed in the Negative.

Resolved, That the Word Four be inserted in the Blank. And the Blank was filled up accordingly.

Ordered, That the Title of the Bill be, *An Act for continuing, and further amending, an Act, intituled, An Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*.

Resolved, That the Bill do pass.

Ordered, That the Committee of Propositions and Grievances do carry the Bill to the Council, and desire their Concurrence.

Mr Robinson presented to the House, according to Order, a Bill, *For the more effectually obliging Persons to buy and sell by English Weights, and Measures*. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, *For Destroying Crows and Squirrels, in the Northern-Neck, and on the Eastern-Shore*, was read the second Time.

Ordered, That the Bill be ingrossed.

Mr Robinson also presented to the House, according to Order, a Bill, *For lessening the Penalties for Killing Deer at unreasonable Times; and for the better Recovery thereof*. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House, according to Order, resolv'd itself into a Committee of the whole House, further to consider the Governor's Speech; and after some Time spent therein, Mr Speaker resum'd the Chair, and Mr Attorney General reported, from the Committee, That the Committee had had under their further Consideration, the Governor's Speech, and gone thro' the same; and were come to a Resolution thereupon; which he read in his Place, and afterwards deliver'd the Report in at the Table; where the said Resolution was again read, and agreed unto by the House, as follows:

Resolved, That an Humble Address be made to His Majesty, to acknowledge His great Wisdom, in marrying the PRINCESS ROIAL of England, to a PRINCE of the illustrious House of ORANGE; and to return His Majesty Thanks for His Gracious Acceptance of the Address of the Council, and the House of Burgeesses, at the last Session; and for the Countenance and Encouragement He was pleas'd to give to the Complaint of certain Grievances which this Colony labours under.

Ordered, That the Committee of Propositions and Grievances do prepare and bring in the said Address.

A Message from the Council, by Mr Robertson:

That they cannot agree to the Amendments made by this House, to the Bill, intituled, *An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer*; and desire this House will pass the said Bill, without those Amendments.

And, That they have agreed to the Bill, intituled, *An Act to vest certain Entail'd Lands, with the Appurtenances therein mentioned, in Charles Tomkies, Gent. in Fee Simple; and for settling other Lands, of greater Value, to the same Uses*, without any Amendment.

A Petition of John Taylor, John Griffin, and the Executors of John Roy, deceased, was presented to the House, and read, setting forth, That they, and the said deceased John Roy, were Inspectors of the Public Warehouses, at Roy's, Conway's, and Gibson's; and that soon after the Burning the Warehouse at Gibson's, three Hogheads of Tobacco were stolen, for want of a House to secure it, for which they have been sued, and put to great

great Expence; and praying the Consideration of the House therein, and such Relief as the House shall think meet.

Ordered, That the said Petition do lie on the Table.

Mr *Attorney General* reported, from the Committee, to whom the Bill, *For appointing several new Ferries, and altering several Court Days*, was committed, several Amendments made to the Bill; and he delivered the Report in at the Table.

Ordered, That the said Report be taken into Consideration To-morrow.

A Motion was made, and thereupon,

Ordered, That it be an Instruction to the Persons appointed to prepare and bring in a Bill, *For selling several Glebes*, that they have Power to receive a Clause, to empower the Vestry of the Parish of *Elizabeth-City*, in the County of *Elizabeth-City*, to sell two small separate Parcels of Land, formerly given to the Parish, for a Glebe, which are now of no Use, they having purchased other Glebe-Lands; and to apply the Money, arising from the Sale thereof, to Parochial Uses.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven a Clock.

Tuesday, September 24, 1734.

A Bill, intituled, *An Act to vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter, the Younger, who died in his Life Time, in Robert Carter, the Son and Heir of the said Robert Carter, the Younger; and[d] to make Provision for Priscilla Carter, Widow of the said Robert Carter, the Younger, and Elizabeth Carter, his Daughter*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Conway* do carry the Bill to the Council, and desire their Concurrence.

Mr *Martin* presented to the House, according to Order, a Bill, *For the more equal lifting of Persons to serve in the Militia; and enforcing the Laws for regulating the Militia*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Randolph* reported, from the Committee, to whom the Bill, *For Dividing the Parish of Henrico*, was committed, several Amendments made to the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the said Amendments were read; and upon the Question severally put, agreed unto by the House; and several Blanks in the Bill were filled up, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Attorney General* presented to the House, according to Order, a Bill, *For Dividing the County of Prince-George, and Parish of Bristol; and adding Part of the County of Brunswick to the new erected County*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second.

Mr *Robinson* presented to the House, according to Order, a Bill, *For the better regulating and ascertaining certain Officers Fees, therein mentioned*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Then the House proceeded to the Consideration of the Message from the Council, Yesterday, in Relation to the Amendments made by this House, to the Bill, intituled, *An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer*. And after a Debate,

Resolved, That this House doth adhere to the said Amendments.

Ordered, That a Message be sent to the Council, to acquaint them, That this House doth adhere to the Amendments by them made to the said Bill; and that they cannot pass the Bill, without the Amendments.

Ordered, That Mr *Conway* do go up with the said Message.

The

The Houfe, according to Order, refolved itfelf into a Committee of the whole Houfe, upon the Petition of the Prefident, and Mafters, of the College of *William and Mary*; and after fome Time fpent therein, Mr *Speaker* refumed the Chair, and Mr *Conway* reported, from the Committee, That the Prefident, and Mafters, had been heard at the Bar, upon the Matter of the faid Petition; and that the Committee had come to feveral Refolutions thereupon; but not having Time to go thro' the fame, they had directed him to move for Leave to fit again.

Refolved, That this Houfe will, To-morrow, again refolve itfelf into a Committee of the whole Houfe, upon the faid Petition.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Eleven a Clock.

Wednesday, September 25, 1734.

MR. *Robert Bolling* reported, from the Committee for Public Claims, That the Committee had had under their Confideration, the Account of the Money received for the Sale of Lotts, in the City of *Williamsburg*; and of the feveral Paiments made out of that Money, to them refer'd; and having examined the feveral Articles thereof, do find the fame to be juft; and that the Ballance thereof, in the Hands of Mr *Attorney General*, is Twenty Pounds Twelve Shillings and one Penny.

Mr *Robert Bolling* alfo reported, from the faid Committee, That the Committee had examined and confidered all the Public Claims which had been laid before them this Seffion; and agreed upon a Report, which they had entered in a Book; and he delivered the Book in at the Table.

Ordered, That the fame do lie on the Table.

Mr *Robinfon* reported, from the Committee for Courts of Juftice, That the Committee had had under their Confideration the Treafurer's Accounts, and examined the feveral Articles thereof, and corrected feveral Miftakes therein, to which they had annex'd a State of the faid Accounts, and agreed upon a Report; which he read in his Place, and afterwards delivered the Report, and Accounts, in at the Table.

Ordered, That the faid Report, and Accounts, do lie on the Table, to be perufed by the Members of the Houfe.

Ordered, That an Addrefs be made to the Governor, to order the feveral Collectors to lay before the Houfe, their Accounts of the Duties on Liquors, and Slaves, fince the pafling their laft Accounts with the Treafurer.

Ordered, That Mr *Attorney General*, Mr *Martin*, and Mr *Robinfon*, do wait on the Governor with the faid Addrefs.

Accordingly they withdrew: And being returned,

Mr *Attorney General* reported, That the Perfons appointed had, according to Order, waited on the Governor; and that he was pleafed to fay, He would order the faid Accounts, to be laid before the Houfe.

Mr *Conway* prefented to the Houfe, according to Order, a Bill, *For the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or diftrained for Rent.* And the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

Mr *Attorney General* reported from the Committee, to whom the Bill, *To amend the Laws now in Force, For the more speedy and eafy Recovery of fmall Debts*, was committed, feveral Amendments made to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were read; and upon the Queftion feverally put, were agreed unto by the Houfe; and another Amendment was made to the Bill, at the Table.

Then

Then a Motion was made, and the Question put, That all Summonses, on Petitions for small Debts, shall be served by the Sheriff, or Coroner, and not by any private Person,

It passed in the Negative.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Petition of the Inhabitants and Freeholders of *James-Town*, was presented to the House, and read; setting forth, That of late Years, there have been such great Breaches between the River and Creek, at *Sandy Bay*, that it is now so dangerous to pass, that it is become necessary to secure the Banks for a great Way, on both Sides the said Bay, against the Violence of the River; and that the Charge of these Works will be so great, that the same cannot be supported, without the Assistance of the Public; and praying the Consideration of the House therein, and such Relief as to the House shall seem meet.

Resolved, That the said Petition be rejected.

A Bill, *For the more equal Lifting of Persons to serve in the Militia; and for better regulating the Militia*, was read the second Time.

Ordered, That the Bill be committed to a Committee.

And a Committee was appointed accordingly, of the following Persons: Mr *Randolph*, Mr *Blair*, Mr *Francis Willis*, Mr *Henry Willis*, and Mr *Eskridge*.

A Member mov'd for Leave to present a Petition, For dissolving the present Vestry of the Parish of *North Farnham*, in the County of *Richmond*.

And the Question being put, That the said Petition be receiv'd,

It passed in the Negative.

A Bill, *For the better regulating and ascertaining certain Officers Fees therein mentioned*, was read the second Time; and several Amendments were made, and several Blanks in the Bill filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill, intituled, *An Act for Destroying Crows and Squirrels, in the Northern-Neck, and on the Eastern Shore*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Conway* do carry the Bill to the Council, and desire their Concurrence.

The Question being put, That the Order of the Day for resolving into a Committee of the whole House, on the Petition of the President, and Masters, of the College of *William and Mary*, be put off:

Resolved, That this House will, To-morrow, resolve itself into a Committee of the whole House, upon the said Petition.

Ordered, That the Chaplain of the House attend, and read Prayers every Morning at Nine a Clock.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Thursday, September 26, 1734.

A Bill, *For Dividing the County of Prince-George, and Parish of Bristol; and adding Part of the County of Brunswick, to the new erected County*, was read the second Time; and the several Blanks in the Bill were filled up; and a Word altered in the Bill, at the Table.

Ordered, That the Bill be ingrossed.

A Bill, *To oblige the Justices of James-City, and York, to levy Tobacco for certain Officers of the City of Williamsburg*, was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, *To prevent the Building Wooden Chimneys in the Towns of York, and Gloucester; and for pulling down such as are already built therein; and for restraining Hogs, Goats,*

Goats, and Sheep, from going at large in the said Town of York, was read the second Time; and several Amendments were made in the Body, and an Alteration was made in the Title, of the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill, For lessening the Penalties for killing Deer at unreasonable Times, and for the better Recovery thereof, was read the second Time; and several Blanks in the Bill were filled up at the Table.

Ordered, That the Bill be ingrossed.

A Message from the Council, by Mr Robertfon:

That they have agreed to the Bill, intituled, An Act to vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter, the Younger, who died in his Life Time, in Robert Carter, the Son and Heir of the said Robert Carter, the Younger; and to make Provision for Priscilla Carter, the Widow of the said Robert Carter, the Younger, and Elizabeth, his Daughter, without any Amendment.

And, That they have passed a Bill, intituled, An Act for amending the Act, intituled An Act for settling the Titles and Bounds of Land; and preventing unlawful Shooting and ranging thereupon; to which they desire the Concurrence of this House. And the said Bill was read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, For more effectually obliging Persons to buy and sell by Weights and Measures according to the English Standard, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons: Mr Attorney General, Mr William Robinson, Mr Braxton, Mr Eskridge, Mr Fitzhugh, Mr Francis Willis, Mr Randolph, Mr John Robinson, Mr Fleming, Mr Ravenscroft, Mr Dangerfield, and Mr Samuel Harwood.

Mr Boush presented to the House, according to Order, a Bill, Declaring the Glebe of Elizabeth-River Parish, lately purchased, to be a sufficient Glebe; directing the Sale of several Glebes; and for other Purposes therein mentioned; and the same was received, and read the first Time.

And a Petition of Handcock Dunbar, Clerk, Parson of the Parish of St. Stephen, in the County of King and Queen, was presented to the House, and read, suggesting several Reasons against several Clauses of the Bill; and praying, That if an Act shall pass for the Sale of the old Glebe, the Vestry may be thereby obliged to repay him his Expenses in building thereon; and to apply the Money, arising by such Sale, to the Uses therein mentioned.

Ordered, That the Bill be read a second Time.

Ordered, That the said Petition be taken into Consideration, at the second Reading of the said Bill.

A Motion being made, and the Question put, That Leave be given to bring in a Bill, For appointing a new Treasurer:

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that the Committee of Propositions and Grievances do prepare and bring in the same.

Then a Motion was made, That an Allowance be made the present Treasurer, for his Trouble in Auditing the Accounts of the several Inspectors: And after a Debate, the Question being put thereupon,

It passed in the Negative.

Mr Attorney General moved for Leave to present a Bill, For allowing Indians to be Witnesses in Criminal Offences committed by Indians. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Randolph reported, from the Committee, to whom the Bill, For the more equal Listing of Persons to serve in the Militia; and for better regulating the Militia, was committed

ted, feveral Amendments made to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were read; and upon the Queſtion feverally put, were agreed unto by the Houſe; and another Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingroffed.

M^r Blair reported, from the Committee, to whom the Bill, *For Relief of ſuch Perſons as have ſuffered, or may ſuffer, by the Loſs of the Records of Nanſemond County, lately conſum'd by Fire*, was committed, an Amendment made to the Bill; which he read in his Place, and afterwards delivered the Bill, with the Amendment, in at the Table; where the Amendment was read, and upon the Queſtion put, agreed unto by the Houſe.

Ordered, That the Bill, with the Amendment, be ingroffed.

The Houſe, according to Order, reſolved it ſelf into a Committee of the whole Houſe, upon the Petition of the Preſident, and Maſters, of the College of *William and Mary*; and after ſome Time ſpent therein, M^r *Speaker* reſum'd the Chair; and M^r *Conway* reported, from the Committee, That the Committee had had under their further Conſideration the Matter of the ſaid Petition, and gone thro' the ſame; and were come to ſeveral Reſolutions thereupon; which he read in his Place, and afterwards delivered the Report in at the Table; where the Reſolutions were again read, and agreed unto by the Houſe, as follows, *viz.*

Reſolved, That no Perſons ſhall ſhip any Goods to the *Weſt Indies*, or other Plantations, without making Oath to the Goods ſhipp'd, before a Juſtice of the Peace; and that he has not conceal'd, or ſhipp'd in any Package, any Tobacco, or what Tobacco he has ſhipp'd; and the Maſter of the Veſſel ſhall produce ſuch Affidavit to the Naval Officer, before he ſhall be clear'd out: And if ſuch Perſon ſhall be convicted of Perjury, in ſuch Affidavit, he ſhall ſuffer as for Perjury in a Court of Record.

Reſolved, That every Maſter of a Veſſel, bound to the Plantations, ſhall, before he be clear'd out, make Oath, That he has not, nor will not take, any Tobacco on board, that has not paid the Duty; and the Naval Officer here ſhall tranſmit ſuch Oath to the Naval Officer of the Port to which the Veſſel is bound.

Reſolved, That all Tobacco carried to *North Carolina*, ſhall pay a Duty of One Penny *per* Pound, to the College, upon Pain of forfeiting, by the Exporter, the Value of the Tobacco for which the Duty ſhall not be paid.

Reſolved, That every Perſon, by whom any Skins or Furs ſhall be ſhipp'd, ſhall, before the ſame be ſhipp'd, make Oath to the Number of them, before ſome Juſtice of the Peace; and that there is nothing elſe contained in the Package, and ſhall pay the Duty for the ſame; accounting One Third, Buck-Skins; and Two Thirds, Doe-Skins.

Reſolved, That where any Perſon ſhall be found travelling with Skins, or Furs, they ſhall be liable to be ſeiſed, unleſs the Perſon, ſo travelling, ſhall produce a Certificate from ſome Juſtice of the Peace of this Colony, that he is an Inhabitant of *Virginia*; and ſhall make Oath, that he is travelling home, and will not export ſuch Skins and Furs, without paying the Duty: And where any Skins, and Furs, ſhall be exported, either by Land or Water, without paying the Duty, the Value thereof ſhall be forfeited.

Reſolved, That the whole Duty of one Penny *per* Gallon, upon Liquors, be appropriated to the Uſe of the College, after the 25th of *October*, 1735, under the Direction of the Governors, and Viſitors; and that ſome Part of the Money be appropriated to the buying a Library for the College, at the Diſcretion of the Governors, and Viſitors.

Reſolved, That the Preſident, Maſters, Scholars, Students, and Houſehold Servants, belonging to the College, be exempted from being liſted, and paying Public, County, and Pariſh Levies.

Ordered, That Leave be given to bring in a Bill, purſuant to the ſaid Reſolutions; and that the Committee of Propoſitions and Grievances do prepare and bring in the ſame.

M^r *Robinson* preſented to the Houſe, according to Order, a Bill, *For better regulating Ordinary-Keepers, and Retailers of Rum, Brandy, or other diſtilled Spirits; and to prevent*
their

their giving Credit; and to disable them to maintain any Action, or recover any Money, or Tobacco, on their Accounts.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Friday, September 27, 1734.

A Bill, intituled, *An Act for the better regulating and collecting certain Officers Fees therein mentioned*, was read the third Time; and an Amendment was made, and the Blank in the End of the Bill filled up, at the Table.

Ordered, That the Title of the Bill be, An Act for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned.

Resolved, That the Bill do pass.

Ordered, That Mr John Robinson, do carry the Bill to the Council, and desire their Concurrence.

Mr John Robinson, presented to the House, according to Order, a Bill, *For continuing an Act, intituled, An Act for laying a Duty on Liquors.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr John Robinson, also presented to the House, according to Order, a Bill, *For continuing an Act, intituled, An Act for laying a Duty upon Slaves, to be paid by the Buyers.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act for amending the Laws now in Force for the more speedy and easy Recovery of small Debts*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr John Robinson do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for dividing the Parish of Henrico, and for uniting and dividing the Parishes of Newport and Warwickshire, in the County of Isle of Wight*, and for other Purposes therein mentioned, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Randolph do carry the Bill to the Council, and desire their Concurrence.

A Motion was made, That Mr Bray do lay before the House, an Account of what Lands have been sold, pursuant to an Act of the last Session of Assembly, enabling him to sell certain entail'd Lands therein mentioned, and to lay out the purchase Money in Slaves, to be annexed to other entail'd Lands therein also mentioned; and how the Money, arising from the Sale of those Lands, has been applied: And thereupon,

Ordered, That a Committee be appointed, to enquire what Lands have been sold, by Virtue of the said Act; and how the Money, arising from such Sale, has been applied or disposed of; and to report the Matter, as it shall appear to them, to the House.

And a Committee was appointed accordingly, of the following Persons: Mr Attorney General, Mr Power, Mr Eskridge, Mr Simmons, Mr Eaton, and Mr Blair. And they have Power to Examine Mr Bray, in the most solemn Manner; and to send for Persons, Papers, and Records, for their Information.

A Bill, intituled, *An Act, for the more equal Listing of Persons to serve in the Militia; and enforcing the Laws for better regulating the Militia*, was read the third Time; and the Blanks in the Bill were filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr Martin do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for the Relief of such Persons as have suffered, or may suffer, by the Loss of the Records of Nansemond County, lately consumed by Fire*, was read the third Time.

Resolved, That the Bill do pass.

Ordered

Ordered, That Mr Mead do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act to oblige the Justices of James-City, and York, to levy Tobacco for certain Officers of the City of Williamfburg*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Blair do carry the Bill to the Council, and desire their Concurrence.

The Houfe was acquainted, That Col. *Spotswood* had not provided Arms for the County of *Brunfwick*, according to the Order of the Houfe, at the laft Seffion, and his own Engagement: And a Motion was made to confider that Matter; and a Letter, from Col. *Spotswood* to Mr Attorney General, upon that Subject, was read.

Ordered, That the Confideration of the faid Motion be defer'd 'til the next Seffion of Affembly.

A Bill, *For the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or diftrained for Rent*, was read the fecond Time.

Ordered, That the Bill be ingroffed.

A Bill, *For Declaring the Glebe of Elizabeth-River Parifh, lately purchafed, to be a fufficient Glebe; directing the Sale of feveral Glebes; and for other Purpofes therein mentioned*, was read the fecond Time.

And the Petition of *Hancock Dunbar*, Clerk, objecting to feveral Claufes in the Bill, was read.

And alfo, a Petition of the Veftry, and Inhabitants, of St. *Stephen's* Parifh, in the County of *King and Queen*, for felling their old Glebe, was prefented to the Houfe, and read.

And feveral Amendments were propofed; which, upon the Queftion feverally put, were difagreed to by the Houfe; and feveral Claufes in the Bill were ftruck out.

Ordered, That the Bill, with the Amendments, be ingroffed.

Ordered, That the Petition of the faid *Hancock Dunbar*, be torn, and thrown under the Table.

A Bill, *For allowing Indians to be Witneffes in Criminal Offences, committed by Indians*, was read the fecond Time; and feveral Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingroffed.

A Bill, *For the better regulating Ordinary-Keepers, and Retailers of Rum, Brandy, or other Diftilled Spirits; and to prevent their giving Credit; and to difable them to maintain any Action, or recover any Money, or Tobacco, upon their Accounts*, was read the fecond Time; and feveral Amendments were made in the Body, and an Alteration was made in the Title of the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingroffed.

The Houfe proceeded to the Confideration of the Amendments to the Bill, *For appointing feveral new Ferries, and altering feveral Court Days*: And the Amendments were read; and upon the Queftion feverally put, agreed unto by the Houfe.

Ordered, That the Bill, with the Amendments, be ingroffed.

Ordered, That the Houfe be adjourned 'til To-morrow Morning Ten a Clock.

Saturday, September 28, 1734.

THE Houfe proceeded to the Confideration of the Book of Claims; and Part of the Book was read.

A Petition of *John Grymes, John Tayloe and Thomas Lee*, Efqs. was prefented to the Houfe, and read; fetting forth, That in the Year 1732, they became bound with *John Holloway*, Efq; Treafurer of the Duties upon Liquors, and Slaves; who upon the Settlement of his Accounts, before a Committee of the Houfe, is found in Arrear upwards of 1850 l. That he has in his Hands, feveral Securities for Money

Money lent out, which he has assign'd, together with his whole Estate, to certain Trustees, for the Indemnity of the Petitioners, and his other Securities; and hath, besides, confessed a Judgment for Five Thousand Pounds, as a further Security to the Petitioners: That Differences are likely to arise between them and the former Securities, touching the respective Ballances with which they are chargeable; which may be prevented, by enabling the new Treasurer to take into his Hands the said Securities, and to receive the Money due upon them, and also to receive what shall be wanting to discharge the said Ballance, out of the Money that may be raised by the Sale of the said Treasurer's other Estate; and praying the Consideration of the House therein, and such Relief as the House shall think fit and reasonable.

Ordered, That it be an Instruction to the Committee, to whom it is refer'd to prepare and bring in a Bill, *For appointing a new Treasurer*, that they have Power to receive a Clause, or Clauses, for Relief of the Petitioner, and for settling any Differences that may arise between them and the former Securities, according to the Prayer of the said Petition.

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause, or Clauses, to enable him to take into his Hands such Securities as shall be assign'd to him by the Petitioners; and to recover the Money, due from the late Treasurer, against his Estate.

Then a Motion was made, and the Question put, That the new Treasurer be enabled to borrow a competent Sum of Money, for Discharging the Public Debt in the Year 1732, and the Money Payments which will become due at the Conclusion of this present Session of Assembly: And thereupon,

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause, or Clauses, to enable the new Treasurer to borrow so much Money as will be sufficient for those Purposes.

A Bill, *For continuing an Act*, intituled, *An Act for laying a Duty upon Slaves, to be paid by the Buyers*, was read the second Time.

And a Motion was made, and the Question put, For an Amendment to the Bill, to draw back the Duty upon Slaves sold, or exported, to *North-Carolina*.

It passed in the Negative.

Ordered, That the Bill be ingrossed.

A Bill, *For continuing an Act*, intituled, *An Act for laying a Duty upon Liquors*, was read the second Time; and an Amendment was made to the Bill, at the Table.

And an Amendment was proposed, for reducing the Duty to Two Pence; which, upon the Question put, was disagreed to, by the House.

Ordered, That the Bill, with the Amendment, be ingrossed.

A Message, from the Council, by Mr Robertson:

That they have had under their further Consideration, the Amendments made by this House, to the Bill, intituled, *An Act for the more easy Trial of Criminals before Justices of Oyer and Terminer*; and have agreed to those Amendments.

That they have made some Amendments to the Bill, intituled, *An Act for continuing, and further amending, an Act for amending the Staple of Tobacco; and preventing Frauds in His Majesty's Customs*; to which they desire the Concurrence of this House.

And, That they have agreed to the Bill, intituled, *An Act for Destroying Crows and Squirrels, in the Northern-Neck, and on the Eastern Shore*, without any Amendment.

Mr Attorney General presented to the House, according to Order, a Bill, *To enable the Nottoway Indians to sell certain Lands therein mentioned; and for discharging the Indian Interpreters*. And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act for better regulating Ordinary-Keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to disable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, for such Liquors sold upon Credit*, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr Randolph do carry the Bill to the Council, and desire their Concurrence.

A Message, from the Council, by Mr Robertson:

That they have agreed to the Bill, intituled, *An Act to amend the Laws now in Force, for the more speedy and easy Recovery of small Debts.*

Also to the Bill, intituled, *An Act for the better regulating and collecting certain Officers Fees; and other Purposes therein mentioned.*

Also to the Bill, intituled, *An Act for dividing the Parish of Henrico; and for uniting and dividing the Parishes of Newport, and Warwickfqueak, in the County of Isle of Wight; and for other Purposes therein mentioned, without any Amendment.*

A Bill, intituled, *An Act for allowing Indians to be Witnesfes, in Criminal Offences committed by Indians,* was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for dividing the County of Prince-George, and Parish of Bristol; and adding Part of the County of Brunfwick to the new erected County,* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Attorney General do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for lessening the Penalties for Killing Deer at unseasonable Times; and for the better Recovery thereof,* was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for the better Direction of Officers, in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent,* was read the Third Time; and the Blanks in the Bill were filled up at the Table.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for appointing several new Ferries; and lessening the former Rates settled for the Ferriage of Wheel Carriages; and altering several Court Days,* was read the third Time.

Resolved, That the Bill do pass.

An Act to prevent the building Wooden Chimneys in the Towns of York, and Gloucester, and for pulling down such as are already built therein; and to restrain Hogs, and Goats, from going at large in the said Town of York, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Blair do carry the Bills to the Council, and desire their Concurrence.

Mr Attorney General presented to the House, according to Order, a Bill, *For the better Support and Encouragement of the College of William and Mary, in Virginia.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

An Ingrossed Bill, from the Council, intituled, *An Act for amending the Act, intituled, An Act for settling the Titles and Bounds of Land; and preventing unlawful Shooting and Ranging thereupon,* was read the second Time; and several Amendments were made; and several Clauses were proposed to be added to the Bill, which, upon the Question put, were disagreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House hath agreed to the said Bill, with some Amendments; to which they desire their Concurrence; and that Mr Attorney General do carry the said Message.

An Ingrossed Bill, from the Council, intituled, *An Act for better regulating the Trial of Criminals for Capital Offences,* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have passed the said Bill, with the Amendments by them agreed to; and that Mr Conway do carry the said Message.

A Bill, *To enable the Nottoway Indians to sell certain Lands therein mentioned; and for discharging the Indian Interpreters*, was read the second Time; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

A Bill, *For the better Support and Encouragement of the College of William and Mary, in Virginia*, was read the second Time; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

Ordered, That the further Consideration of the Book of Claims be adjourned.

Ordered, That Mr *Dennis McCarty* have Leave to go home, for Recovery of his Health.

Ordered, That the House be adjourned 'til *Monday Morning Nine a Clock*.

Monday, September 30, 1734.

THE House refus'd the adjourn'd Consideration of the Book of Claims; and another Part of the Book was read.

Ordered, That Mr *Basset* have Leave to be absent from the Service of the House 'til *Friday* next.

The House proceeded to the Consideration of the Amendments propos'd by the Council, to the Bill, intituled, *An Act for continuing, and further amending, an Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*; and the Amendments were read; and some of them were agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to some, and disagreed to other, of the Amendments, by them made to the said Bill; and to desire they will pass the Bill, with the Amendments, agreed to by this House: And that the Committee of Propositions and Grievances go up with the Message.

Ordered, That Mr *John Bolling* have Leave to be absent from the Service of the House all the rest of the Week.

A Bill, intituled, *An Act for continuing an Act*, intituled, *An Act for laying a Duty upon Slaves, to be paid by the Buyers*, was read the third Time; and the Blank in the Bill was filled up, at the Table.

And an Account of the several Sums in the Hands of the Naval-Officers, and Collectors of the Duties upon Liquors and Slaves, from the 25th of *April* last, was laid before the House.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for continuing an Act*, intituled, *An Act for laying a Duty upon Liquors*, was read the third Time, and the Blank in the Bill filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *John Robinson* do carry the Bills to the Council, and desire their Concurrence.

A Bill, *To enable the Nottoway Indians to sell certain Lands therein mentioned; and for discharging the Indian Interpreters*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Simmons* do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act for the better Support and Encouragement of the College of William and Mary, in Virginia*, was read the third Time.

Resolved, *Nemine contradicente*, That the Bill do pass.

Ordered, That Mr *Attorney General*, Mr *Francis Willis*, Mr *Armistead*, and Mr *Robert Bolling*, do carry the Bill to the Council, and desire their Concurrence.

A Message, from the Council, by M^r Robertson:

That they have agreed to the Amend [ments] propoed by this House, to the Bill, intituled, *An Act for amending the Act, intituled, An Act for settling the Tiles and Bounds of Land; and for preventing unlawful Shooting and Ranging thereupon;* and inserted the same in the Bill.

And that they do not infilt upon the Amendments by them made, to the Bill, intituled, *An Act for further amending and continuing the Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs;* but have passed the Bill, with the Amendments agreed to by this House.

And that they have agreed to the Bill, intituled, *An Act for allowing Indians to be Witnessees, in Criminal Offences committed [mitted] by Indians.*

Also to the Bill, intituled, *An Act for the Relief of such Persons as have suffered, or may suffer, by the Loss of the Records of Nansemond County, lately consumed by Fire.*

Also to the Bill, intituled, *An Act for dividing the County of Prince-George, and Parish of Bristol; and adding Part of the County of Brunswick to the new erected County.*

Also to the Bill, intituled, *An Act to oblige the Justices of James-City, and York, to levy Tobacco for certain Officers of the City of Williamsburg;* without any Amendment.

A Bill, intituled, *An Act declaring the Glebe of Elizabeth-River Parish, lately purchased, to be a sufficient Glebe; directing the Sale of several Glebes; and for other Purposes therein mentioned,* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That M^r Braxton do carry the Bill to the Council, and desire their Concurrence.

M^r Robinson presented to the House, according to Order, a Bill, *To explain the Duty of Surveyors of Land; and to prevent unjust Exactions by them.* And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

M^r Attorney General reported, That the Committee, to whom the Bill, *For the more effectually obliging Persons to buy and sell by Weights and Measures according to the English Standard,* was committed, have made several Amendments to the Bill; and he delivered the Bill, with the Amendments, in at the Table; where the Amendments were read.

A Debate arose, and the Question was put, That the Amendments be considered.

Resolved in the Affirmative.

And the Amendments were again read; and some of them were agreed to, and others disagreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

M^r Attorney General presented to the House, according to Order, a Bill, *For appointing a Treasurer; and for other purposes therein mentioned,* and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The Ingrossed Bill, from the Council, intituled, *An Act for amending an Act, intituled, An Act for settling the Tiles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon,* with the Amendments, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have passed the said Bill, with the Amendments agreed to by them, and this House; and that M^r Attorney General do carry the said Message.

Then the Book of Claims was read thro', and several Additions and Amendments were made to the Book, by the House.

Ordered, That the usual Allowances to the Officers of the General Assembly, be added to the Book of Claims.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Tuesday,

Tuesday, October 1, 1734.

THE Allowances to the Officers of the General Assembly being added to the Book of Claims, pursuant to the Order of the House Yesterday, the same were read, and agreed to, by the House.

Then a Motion was made, and the Question put, That an additional Allowance be made to the Clerk of the Committee for Courts of Justice, for his extraordinary Services this Session.

It passed in the Negative.

A Motion was made, That an Allowance be made to the Persons, intrusted by the General Assembly, with the Care of preparing a complete Body of the Laws of this Colony, for the Press: And thereupon,

Resolved, That such Allowance be made.

Ordered, That Sir *John Randolph*, Knt. *John Clayton*, and *John Holloway*, Esqrs. and Mr *William Robertson*, be allowed, for their Trouble in Collating a Copy of the Laws lately published, for perfecting the Table, and correcting the Press, respectively, 50 l. and that the same be inserted in the Book of Claims.

A Petition of Mr *Drury Stith*, Surveyor of the County of *Brunswick*, refer'd from the Council to the Consideration of this House, was read; setting forth, That, by Order of the Governor and Council, he did, at his own Expence, run and mark the several Dividing Lines, between the said County, and the Counties of *Prince-George*, *Surry*, and *Isle of Wight*; for which he charged each of those Counties 2000 lb. Tobacco [Tobacco]; which Charge has been levied, for the Petitioner, by the said County of *Brunswick*; but the said other Counties have refused to levy any Tobacco for the Petitioner: That, pursuant to an Act of the last Session of Assembly, *For adding Part of the Counties of Surry and Isle [of] Wight to the said County of Brunswick*, he run and mark'd a Line, from the Mouth of *Chetane*, on *Nottoway*, to the Line of *Isle [of] Wight*, on *Maherin* River, for which he charged the said County of *Brunswick* 8000 lb. Tobacco; but they that refuse to make him any Allowance for it; and praying the Consideration of the House therein, and such Relief as to the House shall seem mete.

Resolved, That the Charge of the first mentioned Survey ought to be born by the County of *Brunswick*; and that the Charge of the other Survey ought to be born by the Counties of *Surry* and *Brunswick*, in equal Proportion.

Resolved, That the said Petition be rejected.

A Message, from the Council, by Mr Robertson:

That they have agreed to the Bill, intituled, *An Act for continuing an Act*, intituled, *An Act for laying a Duty on Liquors*.

Also to the Bill, intituled, *An Act for continuing an Act*, intituled, *An Act for laying a Duty upon Slaves, to be paid by the Buyers*.

Also to the Bill, intituled, *An Act for the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent*.

Also to the Bill, intituled, *An Act to prevent the building Wooden Chimneys in the Towns of York, and Gloucester; and for pulling down such as are already built therein; and to restrain Hogs, and Goats, from going at large in the said Town of York*.

Also to the Bill, intituled, *An Act to enable the Nottoway Indians, to sell certain Lands therein mentioned; and for discharging the Indian Interpreters, without any Amendment*.

Then the Petition of *John Taylor*, *John Griffin*, and the Executors of *John Roy*, deceased, in Relation to the Tobacco lost at the Public Warehouse, at *Gibson's*, was read.

Resolved, That the said Petition be rejected.

Ordered, That Mr *Robert Bolling* do carry the Book of Claims to the Council, and desire their Concurrence; and that he also attend the Governor, and desire his Assent.

Ordered

Ordered, That a Committee, for proportioning the Public Levy, be appointed, of the following Persons: M^r Conway, M^r Blair, M^r Grey, M^r Eaton, M^r Mead, and M^r Price.

Ordered, That Leave be given to bring in a Bill, *For raising a Public Levy*; and that the Committee of Propositions, do prepare and bring in the same.

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause, to direct how the Books of the Laws, that have been, or shall be, delivered to the Justices of the respective Counties, at the Public Charge, shall be disposed of after their Decease, or when they shall be no longer Justices.

Ordered, That it be additional Instruction to the said Committee, That they do deduct the Allowance for Convenience out of all Public Debts, where they do not find it to have been already deducted, in the Book of Claims.

The House was informed, That by an Order of the House, at a Session in the Year 1727, the Bounds of *Wiccomoco* Parish, in the County of *Northumberland*, were to be laid off, by certain Persons therein named; but that nothing had been done thereupon; and some of the Persons last appointed are since dead: And a Motion was made, That other Persons may be appointed to perform the said Order: And thereupon,

Ordered, That M^r Joseph Ball, and M^r James Ball, of the County of *Lancaster*, M^r John Steptoe, and M^r Richard Lee, of the County of *Northumberland*, and M^r John Woodbridge, of the County of *Richmond*, be impowered to run the Dividing Lines between the said Parish, and the Parishes in the County of *Lancaster*, upon which that Parish joins, as the Bounds were reputed before the Year 1723, at the Charge of the said Parish of *Wiccomoco*; and that the Bounds of the said Parish shall hereafter be the same as they were reputed to be before the Settlement of the Bounds between the Counties of *Northumberland* and *Lancaster*, in the Year aforesaid: And that they meet at some convenient Time and Place, by them to be appointed for that Purpose; and in Case they should not all meet, the Majority of them may proceed; and that they do report their Proceedings therein, to the next Session of Assembly.

A Bill, *For more effectually obliging Persons to buy and sell by Weights and Measures according to the English Standard*, was read the third Time; and the Blanks in the Bill were filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That M^r Randolph do carry the Bill to the Council, and desire their Concurrence.

A Bill, *For appointing a new Treasurer; and for other Purposes, therein mentioned*, was read the second Time: And a Motion was made for an Amendment to the Bill; and several Clauses were proposed to be added; which, upon the Question severally put, were disagreed to by the House; and several other Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Message, from the Council, by M^r Robertson:

That they have agreed to the Bill, intituled, *An Act for appointing several new Ferries, and lessening the former Rates settled for the Ferriage of Wheel Carriages; and altering several Court Days*.

Also to the Bill, *For lessening the Penalties for Killing Deer at unseasonable Times; and for the better Recovery thereof*, without any Amendment.

And that they have made several Amendments to the Bill, intituled, *An Act for the more equal Lifting of Persons to serve in the Militia; and enforcing the Laws for better Regulating the Militia*.

Also to the Bill, intituled, *An Act for better regulating Ordinary-Keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to disable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, for such Liquors sold upon Credit*; to which they desire the Concurrence of this House.

And that they have pass'd the Book of Claims, without any Alteration.

A Bill, *To explain the Duty of Surveyors of Land; and to prevent unjust Exactions by them*, was read the second Time; and an Amendment was made, and several Blanks in the Bill were fill'd up, at the Table.

Ordered, That the Bill, with the Amendments, be Ingross'd.

Ordered, That the Title of the Bill be, *An Act, To explain the Duty of Surveyors; and to prevent all unjust Exactions in receiving their Fees*.

The House proceeded to the Consideration of the Amendments made by the Council, to the Bill, Intituled, *An Act for the more equal Listing of Persons to serve in the Militia; and enforcing the Laws for better regulating the Militia*; and the Amendments were read, and some were agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to some, and disagreed to other, of the said Amendments; and to desire they will pass the Bill, with the Amendments agreed to by this House; and that Mr Martin go up with the said Message.

The House also proceeded to the Consideration of the Amendments proposed by the Council to the Bill, Intituled, *An Act for better regulating Ordinary-Keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to disable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, upon their Accounts*; and the said Amendments being read, were disagreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, that this House cannot agree to the Amendments by them proposed to the said Bill; and to desire, they will pass the Bill, without those Amendments, and that Mr Randolph go up with the said Message.

Ordered, That the House be adjourned 'til To-morrow Morning Ten a Clock.

Wednesday, October 2, 1734.

A BILL, intituled, *An Act for appointing a Treasurer; and for other Purposes therein mentioned*, was read the third Time,

Resolved, That the Bill do pass.

Ordered, That Mr Attorney General do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act to explain the Duty of Surveyors, and to prevent all unjust Exactions in receiving their Fees*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Randolph do carry the Bill to the Council, and desire their Concurrence.

Ordered, That a Committee, for examining the inrolled Bills, be appointed, of the following Persons: Mr Fitzhugh, Mr Robert Bolling, Mr John Robinson, Mr Randolph, Mr Thacker, and Mr Boush.

A Message, from the Council, by Mr Robertfon:

That they have agreed to the Bill, intituled, *An Act for the more effectually obliging Persons to buy and sell by Weights and Measures according to the English Standard*.

Also to the Bill, intituled, *An Act Declaring the Glebe of Elizabeth-River Parish, lately purchased, to be a sufficient Glebe; directing the Sale of several Glebes; and for other Purposes therein mentioned*.

And that they have made some Amendments to the Bill, intituled, *An Act for the better Support and Encouragement of the College of William and Mary, in Virginia*; to which they desire the Concurrence of this House.

And that they do insist on the Amendments by them made, to the Bill, intituled, *An Act for the more equal Listing of Persons to serve in the Militia; and for enforcing the Laws for better regulating the Militia*.

And

And alfo to the Bill, intituled, *An Act for better regulating Ordinary Keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to difable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, upon their Accounts*; and defire this Houfe will pafs the faid Bill, with the Amendments by them made to the fame.

The Houfe proceeded to the Confideration of the Amendments made by the Council, to the Bill, intituled, *An Act for the better Support and Encouragement of the College of William and Mary, in Virginia*. And the Amendments were read; and upon the Queftion feverally put, agreed unto by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have agreed to the Amendments by them made to the faid Bill; and that Mr *Francis Willis* go up with the Meffage.

Refolved, That this Houfe doth adhere to the Bill, intituled, *An Act for the more equal Liftng of Perfons to ferve in the Militia; and for enforcing the Laws for better regulating the Militia*, without the Amendments made by the Council, to it, which this Houfe hath difagreed to.

Then the Houfe proceeded to the Confideration of the Meffage from the Council, in Relation to their Amendments to the Bill, intituled, *An Act for better regulating Ordinary-Keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to difable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, on their Accounts*: And thereupon,

Ordered, That an immediate Conference be defired with the Council, upon the fubject Matter of thefe Amendments; and that Mr *Randolph*, Mr *Fitzhugh*, Mr *John Robinfon*, and Mr *Francis Willis*, go up to the Council, and defire a Conference accordingly; and acquaint them, That they are appointed Managers, to meet fuch of their Members as they fhall appoint, to manage the faid Conference on their Behalf.

And the faid Managers withdrew; and after fome Time, return'd: Mr *Randolph* reported, That they had met the Managers of the Council, at a Conference; and the Managers for the Council did infift upon their Amendments; but were willing to agree to a further Amendment thereto; which further Amendment was delivered in at the Table, and agreed to by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have agreed to their Amendments to the Bill, with a further Amendment; to which they defire their Concurrence; and that Mr *Randolph* go up with the Meffage.

Mr *Attorney General* reported, That the Perfons appointed had, according to Order, enquired, what Lands have been fold by Mr *Thomas Bray*, by Virtue of an Act of the laft Seffion of Affembly; and how the Money, arifing from the Sale thereof, has been applied, or difpofed of; and had agreed upon a Report of the Matter, as it appeared to them; which he read in his place, and afterwards delivered the Report in at the Table; where the fame was again read, and is as follows, *viz.*

The Committee having called Mr *Bray* before them, he exhibited an Account of the Lands fold by him, amounting to Nine Hundred Twenty Two Pounds Eighteen Shillings and Four Pence, which he has actually received; and alfo an Account of divers Negros, by him purchafed, amounting, according to the Prices therein charged, to Six Hundred Fifty Three Pounds Ten Shillings, *Sterling*, out of the Monies arifing from the Sale of the faid Lands; and made Oath, That he had fold no other Lands, nor received any more Money for Lands fold by Virtue of the faid Act; and that the Prices of the Negros, charged in his faid Account, were juft: And did alfo acknowledge, That he had not fettled one Negro to the Ufes of the other Entailed Lands, in the faid Act mentioned; and infifted, That Seventy Pounds, by him charged in his faid Account, for procuring and paffing the faid Act, ought to be deducted from the Value of the Slaves, by him to be fettled to the Ufes of the faid other Entail'd Lands.

Refolved, That Mr *Attorney General* be impowered to exhibit a Bill, in his own Name, and the Names of the furviving Truftees, in the Act of the laft Seffion, intituled, *An Act*

Act to oblige [enable] Thomas Bray, Gent. to sell certain Entail'd Lands, therein mentioned; and to lay out the Purchase Money in Slaves, to be annex'd to other Entail'd Lands, therein also mentioned, which has since receiv'd His Majesty's Assent, to compel the said Thomas Bray to execute the said Act, according to the true Intent and Meaning thereof.

Ordered, That Mr Attorney General do carry the said Resolve to the Council, and desire their Concurrence; and that he also attend the Governor, for his Assent thereto.

Mr Attorney General reported, from the Committee of Propositions and Grievances, That the Committee had, according to Order, prepared an Address to His Majesty; and he delivered the Address in at the Table; where it was twice read, and agreed unto by the House.

Ordered, That the said Address be fairly transcribed, and a Blank left for the Council; and that Mr Attorney General go up to the Council with the said Address, and desire their Concurrence.

Ordered, That an Address be made to the Governor, to issue a new Writ, for Electing a Burgess to serve in this present General Assembly, for the County of Accomack, in the Room of Mr Samuel Ewell, deceased; and that Mr Sacker Parker do attend the Governor with the said Address.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Thursday, October 3, 1734.

A Message, from the Council, by Mr Robertson:

That they have made some Amendments to the Bill, intituled, An Act to explain the Duty of Surveyors of Land; and to prevent all unjust Exactions in receiving their Fees; to which they desire the Concurrence of this House.

And that they have agreed to the Resolve of this House, in Relation to Mr Bray; and obtained the Governor's Assent.

And that they have also agreed to the Book of Claims.

And he delivered a written Message, from the Council, as follows:

Mr Speaker, and Gentlemen of the House of Burgesses,

THE Council having under their Consideration, the Bill sent up from your House, For appointing a Treasurer, and calling to Mind the Trouble and Fatigue your late Treasurer has undergone in the settling the Inspectors Accounts, for these two Years past, which, they are satisfied, has been the principal Occasion of that Disorder of Body and Mind under which he now labours, think it therefore just and reasonable, that there be allowed to Mr Holloway, the like Sum, at least, as you have given to the present Treasurer, for the like Service; and propose, That you will consent to a Clause to be added to the aforesaid Bill, to that Purpose: And this they are the rather induc'd to hope from your House, in Regard to the unhappy Circumstances to which that Gentleman is now reduc'd, who has long Time served the Country, and for many Years fill'd the Chair in your House, with good Reputation.

By Order of the Council,

Will. Robertson.

The House proceeded to the Consideration of the said Message: And thereupon,

Ordered, That a Message be sent to the Council, to acquaint them, That this House, in Concurrence with the said Message, do agree, That in the 8th Line of the 3d Sheet of the Bill, intituled, An Act for appointing a new Treasurer, and other Purposes therein mentioned, after the Word Accounts, these Words be inserted, Allowing him One Hundred Pounds for his Trouble in settling the Inspectors Accounts, for the Years One Thousand Seven Hundred and Thirty Two, and One Thousand Seven Hundred and Thirty Three; and that Mr Martin go up with the Message.

Then

Then the House proceeded to the Consideration of the Amendments made by the Council, to the Bill, intituled, *An Act to explain the Duty of Surveyors of Land; and to prevent all unjust Exactions in receiving their Fees*: And the Amendments were read; and the two first Amendments were agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the two first Amendments by them made to the said Bill, and disagreed to the rest of those Amendments; and to desire they will pass the Bill, with the Amendments agreed to by this House; and that Mr *Randolph* go up with the Message.

A Petition of *Christopher Jackson* was presented to the House, and read; setting forth, That on the 29th of April last, his Dwelling-house was first robb'd, and then set on Fire; by which, four other Houses, and all his Corn, Household Furniture, and Papers, were consumed: By Reason whereof he is much impoverished, and himself and Family reduc'd to almost insupportable Hardships; and praying such Relief as to the House shall seem reasonable.

Resolved, That the said Petition be rejected.

A Message, from the Council, by Mr Robertson:

That they have agreed to the Bill, intituled, *An Act for appointing a Treasurer, and for other Purposes therein mentioned*, with the Amendment agreed to by this House.

That they have had under their Consideration, the Amendments by them made to the Bill, intituled, *An Act to explain the Duty of Surveyors of Land; and to prevent all unjust Exactions in receiving their Fees*; and that they recede from one of their Amendments, disagreed to by this House, and adhere to the rest of those Amendments.

And that they agree to the Address to His Majesty, and are ready to join therein; which Address is in the following Words:

To the King's Most Excellent Majesty,

The Humble ADDRESS of the Council and Burgeesses of *Virginia*, met in General Assembly.

WHE Your Majesty's most dutiful and loyal Subjects, the Council and Burgeesses of your most ancient Colony in America, take the first Opportunity to congratulate Your Majesty upon the happy Marriage of the Princess Royal, to His Serene Highness the Prince of Orange; whereby Your Majesty's consummate Wisdom, and tender Regard to Your People, is manifested to all the World; Your Dominions, and the Protestant Religion receiving an additional Strength from this intimate Alliance with a Prince of that illustrious House, no less eminent for his Personal Vertues and good Qualities, than for the Lustre of his Lineage, which in several Descents has been adorned with some of the best of Men, and as great Heroes as any Age can boast of.

To One of them We owe not only all that we now enjoy, but a Security for every Thing we can hope for in Times to come, in the Settlement of the Crown in Your Majesty's Family; whose Enemies must now be confounded and ashamed, when they contemplate that good Providence, which placed Your Royal Father, of blessed Memory, and hath preserved Your Majesty, upon the Throne of Your Ancestors; and the hopeful Prospects Your numerous Issue affords to all Your good Subjects.

At the same Time, give us Leave, with all Humility and Gratitude, to acknowledge Your Majesty's exceeding Grace to the People of this Colony, in your favourable Acceptance of our Address at our last Session; and to return Your Majesty our sincere Thanks for the Countenance You were pleased to give to our Complaint of the Hardships the Planters of Tobacco labour under; and tho' it was unfortunate for us, that our Interests, and the Interests of those whose Opposition prevailed, were irreconcilable, We have abundant Reason to admire Your Majesty's impartial Justice, and Constancy, upon that Occasion; when no Clamour, how universal soever, could change Your good Purposes, or divert Your Detestation of Oppression and Fraud, however disguised or supported, by Names and Sounds: Yet our Consolation is, that the Consciences of many who glory in the Success of their Misrepresentations, will continually bear Testimony against them; and that We have been
thought

thought worthy to be considered by Your Majesty, who, if our Wishes prevail, will long continue to reign over us, for Your own Glory, and the Happiness of all Your People.

The House proceeded to the Consideration of the said Message, in Relation to the Amendments to the Bill, intituled, *An Act to explain the Duty of Surveyors of Land; and to prevent all unjust Exactions in receiving their Fees:* And thereupon,

Ordered, That an immediate Conference be desired with the Council, upon the Subject Matter of those Amendments: And that Mr *Randolph*, Mr *John Robinson*, Mr *Merriwether*, and Mr *Martin*, go up to the Council, and desire their Concurrence accordingly; and acquaint them that they are appointed Managers, to meet such of their Members as they shall appoint to manage the said Conference in their Behalf.

And the said Managers withdrew; and being return'd, Mr *Randolph* reported, That they had met Two of the Members of the Council in the Conference Room, by whom they were told, "That it was contrary to the Rules of the Assembly, to agree to a Conference, after they have adhered to their Amendments; and that therefore they can not agree to the Conference desired by this House.

Ordered, That it be an Instruction to the Persons appointed to prepare and bring in a Bill for Raising a Publick Levy, That they have Power to receive a Clause, to oblige the Collectors thereof, to receive the Quantity of Tobacco assessed upon each Tithable, without any Deduction.

Mr *Conway* reported, That the Persons appointed, had, according to Order, settled the Proportions of the Public Levy, and stated the same in a Book, which he delivered in at the Table; and the same was read, and agreed to.

Ordered, That Mr *Blair* do carry the Book to the Council; and desire their Concurrence.

Mr *Conway* presented to the House, according to Order, a Bill *For Raising a Public Levy; and for other Purposes therein mentioned;* and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Message from the Council, by Mr *Robertson*:

That they have agreed to the Book of Proportions.

A Bill, *For Raising a Public Levy; and for other Purposes therein mentioned*, was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, intituled, *An Act for Raising a Public Levy; and for other Purposes therein mentioned*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Conway* do carry the Bill to the Council; and desire their Concurrence.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten a Clock.

Friday, October 4, 1734.

MR. *Speaker* acquainted the House, "That he had met the President of the "Council, and the rest of that Body, by their Desire, in the Conference "Chamber; and that they had had some Discourse concerning the Offense "the House had taken, to an Answer, reported by one of the Members of the "House, to a Message sent up to them to desire a Conference upon the Subject Matter "of the Amendments made to the Bill, *To explain the Duty of Surveyors of Land; and "to prevent all unjust Exactions in receiving their Fees:* And that the Council had desired "him to inform the House, That there was some Misunderstanding between the Two "Members of the Council, and the Members of this House, about the Council's Answer; "for that they did not intend absolutely to deny a Conference, but told them a Con-

ference

"ference would be unneceffary, fince they had adhered to the Amendments: Yet, if "the Houfe infift upon a Conference, they will be ready to agree to it.

Resolved, That this Houfe has received Satisfaction in that Matter.

Ordered, That the Refolutions of the Houfe Yefterday, upon the Report of the Members who went up to defire a Conference, be crased out of the Journal.

A Meffage from the Council:

That they have agreed to the Bill, intituled, An Act for Raifing a Public Levy; and for other Purpofes therein mentioned, without any Amendment.

Mr John Robinson reported, That the Perfons appointed, had, according to Order, examin'd the inroll'd Bills; and rectified fuch Miftakes as had been found therein.

Mr Robert Bolling reported, That he had, according to Order, waited on the Governor; and obtain'd his Affent to the Book of Claims and Proportions.

Ordered, That all the Bills of this Seflion, both Public and Private, be printed.

A Meffage from the Governor, was delivered by Mr Kemp:

Mr Speaker,

The Governor commands the immediate Attendance of this Houfe, in the Council Chamber; and that you bring with you fuch Bills as are ready for his Affent.

And Mr Speaker, with the Houfe, went up accordingly: And addreffing himfelf to the Governor, fpake as follows:

SIR,

WE now attend you, in Obedience to your Commands, to prefent the Bills for your Affent, which have paffed the Council, and Houfe of Burgeffes, during this Seflion.

Our firft Bill is, For Continuing and further Amending the Act, for Amending the Staple of Tobacco; and Preventing Frauds in His Majefty's Customs; which you were pleafed to recommend to us, in your SPEECH, at the Opening of the Seflion: And upon this Occafion, it is fit we fhould acknowledge your Prudence and Juftice, in permitting us, who began this Work, to finifh it; notwithstanding the long Continuance of this General Affembly, which has fubfifted longer than any, fince the firft Institution of Affemblies in this Colony.

Now we may hope, This Bill will effectually fupply all that was wanting in the firft Law, and that of the laft Seflion, for Explaining and Amending it; and if Infpectors can be chofen, of that Probity and Integrity which is neceffary to execute the great Truft committed to them, we are perfuaded, it will not only produce all the good Effects, which can be expected from fo juft a Regulation; but all Clamors and Difputes about it, muft needs ceafe. Then this Affembly may have Reafon to value themfelves upon their Succefs, in Perfecting a Work of fo much Difficulty, which has been the chief Employment of Three Seflions: Tho' we cannot fay it has been carried on, and brought to a Conclufion, without fome Differences of Opinion; yet it has occafioned no Animofities among us, nor hinder'd our Concurrence in other Matters that have been propof'd for the common Good; which may be accounted a fingular Mark of the Prudence and Difinterestednefs of our Counfels, that in fo nice a Buftnefs as the Regulation of this Trade, wherein every Man's Intereft is fo nearly concern'd, we have gone though [through] it with that Calmnefs and Moderation, which every Body may obferve in our Proceedings.

But indeed, we muft own a great deal is owing to Your Conduft, in the Adminiftration of the Government: We know how natural it is, for Mankind to be over fond and zealous to promote what they think expedient for Reforming public Abufes; and that you have had this Matter very much at heart: Yet thofe who have differ'd from you in Opinion, far from being revil'd or defpis'd for their Integrity, have been treated with that Regard and Civility, which are due to the Representatives of a People.

This is the Source of many good Things that have been done, during Your Government, and the true Caufe that has banifh'd all Factions and Parties out of this Colony; and in this, Your Example may inftruct thofe who fhall come after you, in the beft Methods
of

of Governing the King's Subjects here: They may see how little Need there will be to exercise the Negative Voice, when Matters are managed in the Legislature by the Ways of Persuasion and Gentleness; and, that what can't be accomplish'd on a sudden, at one Time, may be brought about with good Success at another.

Is it not then a lamentable Thing, that a tyrannical, overbearing Spirit shou'd ever prevail in Government; especially when no Instance can be given of its working any Good, even to those who possess it? Yet such is the Perverseness and Depravity of Human Nature, that many Men, in eminent Stations, are apt to mistake the true Dignity of their Office; they imagine it consists in the Magnificence of a Title, and the bare Possession of Power, which have no intrinsic Worth. But the Contrary, is the true Characteristic of your Administration: You will be remember'd, by eminent Instances of doing Good, and a faithful Discharge of your Duty; which is an Honour that can never fade, and exalts your Dignity above that of your Office, by the Applause of wise and virtuous Men.

Then the Governor was pleas'd to give his Assent to the following Bills:

An Act for continuing and further amending an Act, intituled, an Act for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs.

An Act for continuing an Act, intituled, an Act for laying a Duty on Liquors.

An Act for continuing an Act, intituled, an Act for laying a Duty on Slaves, to be paid by the Buyers.

An Act for further continuing the Act for making more effectual Provision against Invasions and Insurrections.

An Act to make void certain Contracts for the paying excessive Usury; for the further Discouragement of the unrighteous Practice of taking more than lawful Interest; and reducing the Rate of Interest.

An Act for amending the Act, intituled, an Act for settling the Titles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon.

After presenting That Bill, Mr Speaker acquainted the Governor, "That he was commanded by the House of Burgesses, to make it their humble Request to Him, "to employ his Interest to obtain His Majesty's Assent to it; for, that it contained many "good Things; and People might be induc'd to purchase Lands under it; whose Titles "would be precarious, until it was confirm'd by His Majesty.

To which the Governor answer'd, That he would do all that was in his Power, to obtain a Confirmation of that Act.

And afterwards, He gave his Assent to the following Public and Private Bills.

An Act for better Regulating the Trial of Criminals for Capital Offences.

An Act for allowing Indians to be Witnesses, in Criminal Offences committed by Indians.

An Act for more effectually obliging Persons to buy and sell by Weights and Measures according to the English Standard.

An Act for the better Regulating and Collecting certain Officers Fees; and other Purposes therein mentioned.

An Act for the better Direction of Officers, in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent.

An Act for Lessening the Penalties for Killing Deer at unreasonable Times; and for the better Recovery thereof.

An Act to amend the Laws now in force, for the more speedy and easy Recovery of small Debts.

An Act for better Regulating Ordinary-keepers, and Retailers of strong Liquors; and to prevent their giving Credit; and to disable them to maintain any Action, or recover any Money, Tobacco, or other Commodity, for such Liquors sold upon Credit.

An Act for the better Support and Encouragement of the College of William and Mary, in Virginia.

An Act for appointing a Treasurer; and for other Purposes therein mentioned.

An Act for Raising a Public Levy; and for other Purposes therein mentioned.

An Act for appointing several new Ferries; and lessening the former Rates settled for the Ferriage of Wheel-Carriages: And altering several Court Days.

An Act declaring the Glebe of Elizabeth-River Parish, lately purchased, to be a sufficient Glebe: Directing the Sale of several Glebes: And for other Purposes therein mentioned.

An Act for Dividing the Parish of Henrico: And for uniting and Dividing the Parishes of Newport and Warwickfqueak, in the County of Isle [of] Wight.

An Act for destroying Crows and Squirrels, in the Northern Neck, and on the Eastern Shore.

An Act to oblige the Justices of James-City, and York, to levy Tobacco for certain Officers for the City of Williamsburg.

An Act for the Relief of such Persons as have suffered, or may suffer, by the Loss of the Records of Nanfemond, lately consumed by Fire.

An Act for Dividing Spotsylvania County.

An Act for the better Enabling the Executors of the last Will and Testament of Charles Burges, Gent. deceased, to pay his Debts and Legacies.

An Act to vest Part of the Estate of Robert Carter, Esq; deceased, devised to Robert Carter the Younger, who died in his Life-time, in Robert Carter, the Son and Heir of the said Robert Carter the Younger: And to make Provision for Priscilla Carter, the Widow of the said Robert Carter the Younger, and Elizabeth Carter, his Daughter.

An Act to vest certain entail'd Lands, with the Appurtenances, therein mentioned, in Charles Tomkies, Gent. in Fee-Simple; and for settling other Lands, of greater Value, to the same Uses.

An Act to enable the Nottoway Indians to sell certain Lands therein mentioned; and for discharging the Indian Interpreters.

An Act for Docking the Entail of certain Lands in the Counties of Gloucester and Elizabeth-City; and vesting the same in Henry Willis, in Fee-Simple; and for settling other Lands and Tenements, and several Slaves, to the same Uses.

An Act to prevent the building Wooden Chimneys, in the Towns of York and Gloucester; and for pulling down such as are already built therein: And to restrain Hogs and Goats from going at large in the said Town of York.

An Act for Dividing the County of Prince George, and Parish of Bristol; and adding Part of the County of Brunswick to the new erected County.

Then Mr Speaker acquainted the Governor, "That the House of Burgeffes, in Con-
"currence with the Council, had, in all humble Duty, prepared an Address to the KING'S
"most Excellent Majesty:" Which he read, and delivered to the Governor; and,
in Behalf of the House, requested him to transmit the same, to be presented to His
Majesty.

To which the Governor answer'd, *That he would take Care to do it.*

And then made the following Speech: *

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,

THE Experience I have now had, of your Constancy, in Supporting and Improving, with a becoming Zeal, that Method for Regulating our Staple and Trade, which, above all others, furnish'd you at first with Arguments weighty enough to enforce it, gives me the greatest Satisfaction; and will be no less to your Honour than to the Benefit of those you represent.

AND, as it has been your principal Care, to reconcile the several Parts of this Law to every concurrent Proposition, that they mutually contribute to illustrate the Reasonableness and Necessity of it, and by an equitable Disposition, have render'd them favourable to every Interest that has an honest Demand; I think I need not introduce other Instances to manifest the Uprightness of your Intentions, nor to prove the Obligations I am under, of being truly thankful, were I as able to express it in Words, as I am willing to discharge it by my Actions.

THIS

THIS being the Fourth Seſſion of an Affembly, which has been continued, under ſeveral Prorogations, for near Seven Years, I purpoſe, in ſome Time, to diſſolve it. And, as I ſhall be only ſollicitous to ſhorten the Inconveniencies which neceſſarily attend the Forecaſt of public Elections, I freely ſubmit the concurring Sentiments of our Conduſt, to the impartial Judgment of the Freeholders; not doubting but a ſenſible People will gratefully remember the many eminent Services you have done your Country, and Vouch their Approbation, by ingenuouſly confeſſing, that their preſent and future Happineſs, ſo apparently in View, is entirely owing to your Obſervation, Steadineſs and Integrity.

AFTER an earneſt Exhortation to you, in your ſeveral Counties, and Stations, to promote the Honour of Almighty GOD, by the Belief and Practice of the antient Principles of the Church of CHRIST, and wiſhing all of you Health and Succeſs in your private Affairs; it remains for me to acquaint you, I have thought fit to prorogue this Affembly, to the Second *Thursday* in *May* next: And this Affembly is accordingly prorogued to that Time.

THE
JOURNAL
OF THE
House of BURGESSES.
AT

A General Assembly summoned to be held at the Capitol, in the City of *Williamsburg*, on the First Day of *August*, in the Ninth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. And from thence continued, by several Prorogations, to the Fifth Day of *August*, in the Tenth Year of His said Majesty's Reign, and in the Year of our Lord, M,DCC,XXXVI.



WILLIAMSBURG:
Printed by WILLIAM PARKS. 1736.

THE
JOURNAL
OF
The House of BURGESSES.

Thursday, August 5, 1736.

SIXTY Members took the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and took and subscribed the Oath of Abjuration, and subscribed the Test; and also took the Burgessees Oath: And the House having attended the Governor, and being return'd. Mr *Conway* put them in Mind of the Governor's Commands to make Choice of a Speaker; and did nominate and recommend Sir *John Randolph*, as a Gentleman of such known Ability and Integrity; so worthy and so eminent, that he expected he was already chosen in the Minds of all there present; and therefore he thought it needless to descend to his particular Qualifications and Excellencies: And mov'd, that he might be conducted to the Chair.

Then Mr *Harrison* propos'd Mr *Robinson* for Speaker, and with him, Mr *Carter*, and Mr *Berkeley* agreed: But Mr *Robinson* standing up in his Place, declared, That he did not expect to be made a Competitor with the Gentleman that had been named; that he was no ways qualified; and pray'd, that Sir *John Randolph* might be chosen, without any Opposition; and He was accordingly chosen by all the rest of the Members, and conducted to the Chair by Two Members: And being there plac'd, made a Speech to the House, as follows:

Gentlemen,

THE Testimony you give, to the Probity and Integrity of the Person, whom you think fit to chuse for your Speaker, must be a considerable Addition to any Man's Character; and to make Excuses for refusing it, which we hope may not be accepted, were only to make a false Shew of Modesty, that can be of no more Worth than Ostentation.

IN me it would be an absurd Hypocrisy, since my Willingness to continue in the Service of this House has been well known among you, tho' I have not endeavoured to anticipate any Man's Judgment, by soliciting his Vote: Therefore I shall not hesitate in owning the Satisfaction with which I accept the Honour you now bestow upon me; and I do it with the greater Pleasure, seeing many worthy Gentlemen, experienced Members of the House of Burgessees, who have been long Witnessees of my Behaviour, still retain a good Opinion of it. I am very sensible of your Favour, and that the Obligations you lay me under, are too great to be satisfied with the ordinary Returns of Thanks and Compliments; which would be paying a vast Debt with a small Matter: But it will require a great Degree of Circumspection and Prudence, Labour and Diligence, Steadiness and Impartiality, to acquit me. And when so many Qualities must concur in the right Execution of an Office, the Difficulties which must attend it, cannot but be very obvious. And if all this shall not be sufficient: if every Action shall be construed with the utmost Rigour and Severity; no allowances made for common Mistakes; and
That

That which upon due Examination may appear to be juſt, ſhall be equally censure'd, with what is apparently not ſo; who can withſtand ſo great Diſcouragements.

BUT I rely upon your Candour, not doubting but your Animadverſions upon me will always be juſt, and my Conduct interpreted with ſome Indulgence.

Gentlemen,

WE muſt conſider ourſelves choſen by all the People; ſent hither to repreſent them, to give their Conſent in the weightieſt of their Concerns; and to bind them by Laws which may advance their Common Good. Herein they truſt you with all that they have, place the greateſt Confidence in your Wiſdoms and Diſcretions, and teſtify the higheſt Opinion of your Virtue. And ſurely, a Deſire of pleaſing ſome, and the Fear of offending others; Views to little Advantages and Interests; adhering too fondly to ill-grounded Conceits; the Prejudices of Opinions too haſtily taken up; and Affectation to Popularity; Private Animofities or Perſonal Repentments; which have often too much to do in Popular Aſſemblies, and ſometimes put a Bias upon Mens Judgments, can upon no Occaſion, turn us aſide in the Proſecution of this important Duty, from what ſhall appear to be the true Interest of the People: Tho' it may be often impoſſible to conform to their Sentiments, ſince, when we come to conſider and compare them, we ſhall find them fo various and irreconcilable.

THE Honour of the Houſe of Burgeſſes hath of late been raiſed higher than can be obſerved in former Times; and I am perſuaded you will not ſuffer it to be leſſened under your Management.

IN every Thing that depends upon me, I ſhall never fail to be zealous for what may redound moſt to your Honour. And tho' I muſt not pretend to ſway your Debates, I will endeavour to preſerve Rule and Order in them.

I WILL be watchful of your Privileges, without which we ſhould be no more than a dead Body; and advertiſe you of every Incident that may have the leaſt Tendency to deſtroy or diminifh them. And laſtly, I will labour to give all proper Diſpatch to your Proceedings, and to bring them to a good Iſſue; which are the only Means, whereby I may be able to pay the Duty I owe you, to deſerve the great Favour you have ſhewn me, or any Applauſe from the Public.

Order'd,

That a Meſſage be ſent to the Governor, to acquaint him, That the Houſe, in Obedience to his Commands, have made Choice of a Speaker; and to know his Pleaſure, when the Houſe ſhall attend, to preſent him: And that Mr *Conway*, Mr *Corbin*, Mr *Robiſon*, Mr *Acrill*, Mr *Randolph*, and Mr *Digges*, go with the Meſſage.

Accordingly they withdrew; and being returned, Mr *Conway* reported, That the Governor was pleaſed to ſay, he would preſently ſignify his Pleaſure to the Houſe in that Matter.

A Meſſage from the Governor was delivered by Mr *Robertſon*.

Gentlemen,

It is the Governor's Pleaſure, That the Houſe attend him To-morrow at Eleven of the Clock in the Fore-noon, in the Council Chamber, to preſent their Speaker.

Ordered,

That the Houſe be adjourned 'til To-morrow Morning, Eleven a Clock.

Friday, Auguſt 6, 1736.

A MEMBER, who was abſent Yeſterday, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy; and taken and ſubſcribed the Teſt; and taken the Oath of a Burgeſs, was admitted to his Place in the Houſe.

Mr

Mr Speaker elect, with the House, went to attend the Governor in the Council-Chamber; and spake as followeth:

SIR,

THE House of Burgeffes have, in Obedience to your Commands, proceeded to the Choice of a Speaker; and having elected me, do now present me, for your Approbation. And as I have never yet tried my Strength, in perverting the Use of Speech, which was given us for the true Discovering, and not to disguise our Minds, I dare not make my first Essay in this Place, and before this Assembly; but without arraigning the small Abilities I have, I humbly submit my self to your Judgment.

Then the Governor spake thus:

Gentlemen,

The Choice you have made of a Speaker, is greatly to my Satisfaction.

After the Governor's Speech, Mr Speaker reply'd,

I humbly thank you for this your favourable Opinion; which I don't pretend to deserve, but will use it as a proper Admonition, whereby I ought to regulate my Conduct in the Exercise of the Office you are now pleas'd to confirm me in; which I do not intend to magnify to the Degree some have done, feeling we are no more than the Representative Body of a Colony, naturally and justly dependent upon the Mother Kingdom, whose Power is circumscribed by very narrow Bounds; and whose Influence is of small Extent. All we pretend to, is to be of some Importance to Those who send us hither, and to have some Share in their Protection, and the Security of their Lives, Liberties, and Properties.

The Planters, who sustain'd the Heat and Burthen of the first Settlement of this Plantation, were miserably harrassed by the Government, in the Form it was then established, which had an unnatural Power of Ruling by Martial Law, and Constitutions passed by a Council in *England*, without the Consent of the People, which were no better: This made the Name of *Virginia* so infamous, that we see the Impressions of those Times, hardly yet worn out in other Countries, especially among the Vulgar: And such have been in all Ages, and for ever must continue to be, the Effects of an Arbitrary Despotic Power; of which the Company in *London*, in whom all Dominion and Property was then lodged, were so sensible, that they resolv'd to establish another Form of Government more agreeable and suitable to the Temper and Genius of the *English* Nation. And accordingly, in July, 1621, pass'd a Charter under their Common Seal, which was founded upon Powers before granted by Charters under the Great Seal of *England*; whereby they ordered and declared, That for preventing Injustice and Oppression for the Future; and for advancing the Strength and Prosperity of the Colony, there should be Two Supreme Councils; One to be called, *The Council of State*, consisting of the Governor, and certain Councillors, particularly named, to serve as a Council of Advice to the Governor; the other to be called by the Governor, Yearly, consisting of the Council of State, and Two Burgeffes to be chosen by the Inhabitants of every Town, Hundred, or other Plantation; to be called, *The General Assembly*: And to have free Power to treat, consult, and conclude, of all Things concerning the Public Weal; and to enact such Laws for the Behoof of the Colony, and the good Government thereof, as from Time to Time should appear necessary or requisite: Commanding them to imitate and follow the Policy, Form of Government, Laws, Customs, Manner of Trial, and other Administration of Justice used in *England*; and providing that no Orders of their General Court should bind the Colony, unless ratified in the General Assemblies, This is the Original of our Constitution, confirmed by King *James* the First, by King *Charles* the First, upon his Accession to the Throne, and by all the Crown'd Heads of *England*, and *Great-Britain*, successively, upon the Appointment of every new Governor, with very little Alteration. Under it, we are grown to whatever we now have to boast of. And from hence, the House of Burgeffes do derive diverse Privileges, which they have long enjoy'd, and claim as their undoubted

Right

Right. Freedom of Speech is the very Effence of their Being, becaufe, without it, nothing could be thoroly debated, nor could they be look'd upon as a Council; an Exemption from Arrests, confirm'd by a Positive Law, otherwise their Counfels and Debates might be frequently interrupted, and their Body diminished by the Loss of its Members; a Protection for their Estates, to prevent all Occasions to withdraw them from the necessary Duty of their Attendance; a Power over their own Members, that they may be answerable to no other Jurisdiction for any Thing done in the House; and a sole Right of determining all Questions concerning their own Elections, lest contrary Judgments, in the Courts of Law, might thwart or destroy Theirs.

All these, I say, besides others which spring out of them, are incident to the Nature and Constitution of our Body; and I am commanded by the House, to offer a Petition in their Behalf, that You will be pleas'd to discountenance all Attempts that may be offer'd against them, and assist us with Your Authority in supporting and maintaining them against all Insults whatsoever: And Lastly, I must beg Your Favour to my self, that You will not construe my Actions with too much Severity, nor impute my particular Errors and Failings to the House.

To which the Governor answer'd;

The House of Burgeffes may always depend upon my Care to support them in their antient Rights and Privileges.

And then Mr Speaker went on:

We have long experienced Your Love and Good Will to the People of this Country; and observe with what Readiness you exert it upon all Occasions.

The Art of Governing Well, is thought to be the most abstruse, as well as the usefulest Science in the World; and when It is learnt to some Degree of Perfection, it is very difficult to put it in Practice, being often opposed by the Pride and Interest of the Person that governs. But You have shew'd how easy it is to give universal Satisfaction to the People under Your Government: You have met them, and heard their Grievances in frequent Assemblies, and have had the Pleasure of seeing none of them proceed from Your Administration: You have not been intoxicated with the Power committed to You by His Majesty; but have used it, like a faithful Trustee, for the Public Good, and with proper Cautions: Raised no Debates about what it might be able to do of itself; but, on all important Occasions, have suffer'd it to unite with that of the other Parts of the Legislature: You never propose Matters, without supposing Your Opinion subject to the Examination of Others; nor strove to make other Mens Reason blindly and implicitly obedient to Yours; but have always calmly acquiesced in the Contrary Opinion: And Lastly, You have extirpated all Factions from among us, by discountenancing Public Animosities; and plainly prov'd, that none can arise, or be lasting, but from the Countenance and Encouragement of a Governor. *Hinc illæ Artes.*

I do not mention these Things, for the Sake of enlarging my Periods, nor for Flattery, nor for conciliating Favour: For if I know my self at all, I have none of the Arts of the first, nor the Address that is necessary for the other. And I hope, I shall never be one of those, who bestow their Commendations upon all Men alike; upon those who deserve it, as well as those who do not.

Permit me then, Sir, to beseech You to go on in the same steady Course: Finish the Character You have been almost Nine Years establishing; Let it remain unblemished, and a Pattern to those who shall come after You; Make us the Envy of the King's other Plantations; and put those Governors out of Countenance, who make Tyranny their Glory; and tho' they know their Master's Will, fancy it a Dishonour to perform it.

And being returned, and the Mace laid on the Table, Mr Speaker reported, That the House had attended the Governor, in Obedience to his Commands, in the Council-Chamber, and had presented their Speaker: And that he was pleas'd to make a Speech to the Council and this House; which being long, he had obtained a Copy of it, which he read to the House; and is as follows:

Gentlemen

Gentlemen of the Council, M^r Speaker, and Gentlemen of the House of Burgeffes,

I CANNOT but congratulate my self and you, that after the Diffolution of an Affembly, which had expreffed fo much Duty to the King, and fo much Love to their Country; fuch Unanimity among themfelves, and fuch Deference and Regard to me; I can behold with Pleafure, in this new Affembly, a Revival of the old one: And that tho' I do not meet the very fame Perfons, yet I meet the very fame good Difpofitions and Affections.

WITH this View, I promife my felf, that whatever was left unfinished by them, will be perfected by you: And that whatever fhall at any Time be recommended by me, or propofed among your felves, for the further Good of this Colony, will be fpeedily and effectually promoted.

TO this Purpofe, I muft mention the better Regulation of the Militia, fo as to render it more powerful for Preventing Infurrections of Slaves; and alfo, the making of fome Provision for the Eafe of poor Houfe-keepers, who are unable to purchafe Arms for themfelves. Such a Bill deferves your Attention, when fo many Negroes are brought into the Country; and I earneftly offer it to your Confideration.

THERE is a Practice lately introduced, of Importing Rum and other Liquors, by Land Carriage, from the neighbouring Provinces to our Frontier Inhabitants, for which no Duty can be demanded, as the Law now ftands: It will therefore be juft, as well as neceffary, to extend the Duty on Liquors to this Land-Importation; that all Traders being in like Circumftances, may be equally profited by it.

IT is with great Satisfaction I can acquaint you, That His Majefty has been gracioufly pleas'd to confirm Two Afts paffed the laft Seflion of Affembly; one of them is, the Aft *For the better Support and Encouragement of the College of William and Mary, in Virginia*; and the other is, *An Aft for amending the Aft, intituled, An Aft for fettling the Titles and Bounds of Lands*: Of both which, not only the prefent Generation, but your Pofterity, will reap the Advantages: And it is no fmall Pleafure to me, that my Solicitations herein, have met with Succefs anfwerable to my Wifhes.

WHAT I have propofed to you, is all I have to offer to your legiflative Power: But at this Conjuncture, and as this is Our firft Meeting, you muft give me Leave to fay, it is not all that concerns us.

Gentlemen,

YOU are under the Protection of a gracious and excellent PRINCE, who will always reach out His Roial Hand for the Benefit and Advantage of His moft diftant Subjects: And while his Thoughts have been turned toward Compoing the Difference, and Settling the Tranquility of *Europe*, never fails to have moft at Heart the Welfare of His own People. By the Providence of GOD, and His Majefty's Conduct, both thefe Points feem happily fecured; the moft jarring Nations have liftened to the Voice of Peace, and the Subjects of *Great-Britain* are owing their Obligations to the King, and His Minifters, and are carrying on their Commerce with Safety and Succefs. Let us, therefore, engage His Majefty farther to us, by all poffible Returns of Gratitude and Loyalty.

FOR my felf, whom His Majefty has been gracioufly pleafed to entruft with the Adminiftration of the Government here, I am very fenfible that this truft was for no other End committed to me, but in Subferviency to the Honour and Intereft of my Sovereign, and the Good of the Public. As I always have, fo I always fhall continue to make thefe my Aim: And if your former Experience can ftrengthen your Affurance of me, and can create that proper Confidence we ought to have in each other, I queftion not, but my Heart's Defire will be accomplifhed, in feeing this Colony in a flourifhing Profperity.

Resolved, Nemine Contradicente,

That an Humble Addrefs be made to the Governor, to return him the Thanks of the Houfe, for his affectionate Speech; and for the Pains and Trouble he has taken,

to

to obtain His Majesty's Assent to the Two Acts therein mentioned; to acknowledge the Regard they have to him; their Sense of his prudent and upright Administration; and their Readiness to concur with him in all Matters that shall be found necessary or requisite for the Public Good.

Ordered, That a Committee be appointed, to draw up an Address to the Governor, upon the said Resolution; and it is referred to

Mr Conway,
Mr Robertson,

Mr Willis, and
Mr Fitzhugh.

Resolved, That the House will take the Governor's Speech into Consideration on *Tuesday* next.

Two other Members, who were absent Yesterday, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgess; were admitted to their Places in the House.

Ordered, That *Nicholas Wager, John Johnson, William Francis, and James Levie*, be appointed Door-keepers to this House; and that they give their Attendance accordingly.

Ordered, That a Committee of Privileges and Elections, be appointed, of the following Persons:

Mr Conway,
Mr Robinson,
Mr Harrison,
Mr Corbin,
Mr Randolph,
Mr Acrill,

Mr Fitzhugh,
Mr Waring,
Mr McCarty,
Mr Walke,
Mr Boush, and
Mr Burwell.

And they are to meet on *Monday* next, and to adjourn from Day to Day; and to examine, in the first Place, all Returns of Writs for electing Burgesses to serve in this present General Assembly, and compare the same with the Form prescribed by Law; and to take into their Consideration, all such Matters as shall or may come in Question, touching Returns, Elections, and Privileges; and to report their Proceedings, with their Opinions therein, from Time to Time, to the House: And the said Committee is to have Power to send for Witnesses, Persons, Papers, and Records, for their Information.

Ordered, That a Committee for Public Claims, be appointed, of the following Persons:

Mr Blair,
Mr Price,
Mr Bowdoin,
Mr Harmanson,
Mr Sweny,
Mr Turner,

Mr James Ball,
Mr Beverley,
Mr Buckner,
Mr Haynes,
Mr Eaton,
Mr Claiborne, and

Mr Scarborough.

And they are to meet on *Tuesday* next, and to adjourn from Day to Day; and to take into their Consideration, all Public Claims which shall be presented to the House, during this Session; and to report their Proceedings, with their Opinions therein, to the House, when they have gone through the said Claims: And all Persons that have any Claims, are to deliver them to the Clerk, and he is to deliver the same to the said Committee, of Course: And they are to have Power to send for Persons, Papers, and Records, for their Information.

Order'd, That Mr Miles Cary, be appointed Clerk to both the said Committees.

Ordered, That a Committee of Propositions and Grievances, be appointed, of the following Persons:

Mr

Mr *Robinson*,
 Mr *Corbin*,
 Mr *Conway*,
 Mr *Presley*,
 Mr *Willis*,
 Mr *Randolph*,
 Mr *Walke*,
 Mr *Rafcow*,
 Mr *Fitzhugh*,

Mr *Carter*,
 Mr *Acrill*,
 Mr *Harrison*,
 Mr *Burwell*,
 Mr *Digges*,
 Mr *Beverley*,
 Mr *Kennon*,
 Mr *Berkeley*, and
 Mr *Woodbridge*.

And they are to meet on *Monday* next, and to adjourn from Day to Day; and to take into their Consideration, all Propositions and Grievances, that shall come legally certified to this Assembly; and to report their Proceedings, with their Opinions thereupon, to the House, from Time to Time: And all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee, of Course: And the said Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That Mr *Kemp* be appointed Clerk to the said Committee.

Ordered, That a Committee for Courts of Justice, be appointed, of the following Persons:

Mr *Corbin*,
 Mr *Boush*,
 Mr *Sweny*,
 Mr *Booker*,
 Mr *Fantleroy*,
 Mr *McCarty*,
 Mr *Macon*,
 Mr *Moscoe*,

Mr *Aylett*,
 Mr *Smith*,
 Mr *Beverley*,
 Mr *Eppes*,
 Mr *Munford*,
 Mr *Pugh*,
 Mr *Westwood*,
 Mr *Grey*, and

Mr *Johnson*.

And they are to meet on *Thursday* next, and to adjourn from Day to Day; and to take into their Consideration all Matters relating to Courts of Justice, and their Proceedings; and such other Matters, as shall, from Time to Time, be referred to them. And the Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Resolved, That Mr *Holden* be appointed Clerk to the said Committee.

Ordered, That Mr *Fox* be appointed Chaplain to the House: And that he do attend to read Prayers every Morning, at Ten o'Clock.

Ordered, That an Address be made to the Governor, to order a new Writ to issue, for Electing a Burgess to serve in this present General Assembly, for the County of *New-Kent*, in the room of Mr *William Chamberlayne*, deceased.

Also, a new Writ, for Electing a Burgess, to serve in this present General Assembly, for the County of *Surry*, in the room of Mr *William Grey*, deceased.

Also, a new Writ, for Electing a Burgess, to serve in this present General Assembly, for the County of *Isle of Wight*, in the room of Mr *Matthew Kenchin*, deceased.

And that Mr *Conway*, Mr *Harrison*, Mr *Randolph*, and Mr *Macon*, attend the Governor with the said Address.

A Petition of Mr *Richard Booker*, complaining of an undue Election of Mr *Richard Jones*, to serve as a Burgess in this present General Assembly, for the County of *Amelia*.

Also, a Petition of Mr *John Martin*, complaining of an undue Election and Return of Mr *Jonathan Gibson*, to serve as a Burgess in this present General Assembly, for the County of *Caroline*; were severally presented to the House.

Ordered, That the said Petitions be read on *Monday* next.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday,

Saturday, August 7, 1736.

Ordered,

THAT the Committee for Courts of Justice, do inspect the Journal of the last Session; and prepare and draw up a State of the Matters then depending and undetermined, and the Progress that was made therein; and report the same to the House: That they do also examine what Laws have expired since the last Session, and inspect such Temporary Laws as will expire with the End of this Session, or are near expiring; and report the same to the House, with their Opinion, which of them are fit to be revived, or continued.

Mr *Conway* acquainted the House, that, pursuant to an Order of the last Session, the Persons appointed, had run the Dividing Lines between the Parishes of *Wiccomoco*, in the County of *Northumberland*, and the Parishes in the County of *Lancaster*, upon which that Parish joins, as the Bounds were reputed before the Year 1723; and drawn up a Report of their Proceedings; and he delivered the Report in at the Table.

Ordered, That the said Report do lie on the Table, to be perused by the Members of the House.

A Petition of Mr *Richard Bland*, complaining of an undue Election, and Return, of Mr *Robert Munford*, to serve as a Burgess in this present General Assembly, for the County of *Prince George*; was presented to the House.

Ordered, That the said Petition be read on *Monday* next.

Mr *Conway* reported, That the Persons appointed, had, according to Order, prepared an Address to the Governor; which he read in his Place; and afterwards delivered the Address in at the Table, where the same was again read.

And the said Address being read a second Time, was agreed to by the House, *Nemine Contradicente*: And is as follows:

To the Honourable WILLIAM GOOCH, Esq; His Majesty's Lieutenant-Governor, and Commander in Chief, of the Colony and Dominion of VIRGINIA,

The Humble ADDRESS of the House of BURGESSES.

SIR,

WE His Majesty's most dutiful and loyal Subjects, the BURGESSES of the Colony and Dominion of *Virginia*, met in a General Assembly, humbly beg Leave to express the Satisfaction we received from the affectionate and obliging SPEECH You were pleased to deliver to the Council, and this House; and to return You the Thanks of all the People whom we represent, for the Pains and Trouble You have taken, in soliciting and obtaining the Assent of Our most gracious Sovereign, to the Two Acts, *For the better Support and Encouragement of the College of William and Mary*; and for *Amending an Act for settling the Titles and Bounds of Lands*, pass'd at the last Session of the last Assembly: The First afforded a seasonable Relief to the declining State of the only Seminary of Learning we have; whereby found Literature hath made considerable Advances among us; and of which all future Generations are like to reap great Benefit: The Other has supplied the Defects, and reformed the Errors, of a former Law, which had great Influence over the Titles to our Estates: But this, in some Degree, imitates the Wisdom and Policy of the Laws of *England*; settling an easy Method, with little Expence, to bar Estates Tail of small Value, which before were Perpetuities, always inconvenient; and in this Country, serving only to impoverish the present Possessor: And no doubt, when these Things shall be rememb[er]ed hereafter, it will be the Honour of Your Administration, that they were passed by You, and received a Lasting Duration, from Your good Offices.

WE are very sensible how much this Colony owes to Your good Conduct in the Government; and that all Your Actions are directed to a faithful Discharge of Your Duty to His Majesty, and to promote our Common Good; and should we distrust fo
just

just and upright a Magistrate, it would be discountenancing a virtuous Administration, and making no Difference between That and the greatest Enormities, Tyranny and Oppression; or should we withhold our Confidence from a Person, who for so many Years has never once abused it, we might justly be reckoned an unworthy Representative of a grateful People.

PERMIT us, therefore, to give You the strongest Assurances, that You can propose no Measures to us, that will not have all possible Weight; relying upon You as our Common Friend, always disposed to hear and redress every Thing that may happen amidst among us, and worthy of the Applause of all wise Men.

Ordered, That the said Address be presented by the whole House.

Ordered, That the Persons who prepar'd the same, do wait on the Governor, to know his Pleasure when the House shall present it.

Complaint being made to the House, by Mr *Reddick*, That the Propositions, Grievances, and Claims, from the County of *Nansemond*, are not certified by the Clerk of the said County Court:

Resolved, That *Christopher Jackson*, Clerk of the County Court of *Nansemond*, having sent up diverse Propositions and Grievances, which were at a Court lately held for receiving Propositions, Grievances, and Public Claims, presented by the People, and ordered to be certified, according to Law, without such Certificate, is guilty of a Neglect, and Breach of his Duty.

Ordered, That the said *Christopher Jackson* be sent for, in Custody of the Serjeant at Arms, to answer the said Neglect, at the Bar of the House.

Ordered, That the House be adjourned 'til Monday Morning Eleven o'Clock.

Monday, August 9, 1736.

MR. *Conway* reported, That the Persons appointed, had, according to Order, waited on the Governor, to know his Pleasure, when the House should attend him with their Address: And that he was pleas'd to appoint this Day, in the Council-Chamber; and to say, he would send a Message, to acquaint the House when he was ready to receive it.

An absent Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgess, was admitted to his Place in the House.

A Message from the Governor, was delivered by Mr *Robertson*.

Mr *Speaker*,

I am commanded by the Governor, to acquaint this House, That his Honour is now ready to receive your Address in the Council Chamber.

Mr *Speaker*, with the House, went up; and being returned, reported, That he had, with the House, attended the Governor, in the Council-Chamber, and presented the Address of this House to him: To which he was pleas'd to return the following Answer:

Gentlemen,

THIS is a very kind Address: And as I persuade my self, it expresses the real Sentiments of the whole House, it gives me great Satisfaction, and confirms the Hopes I had entertained, that all Matters which shall fall under the Consideration of this Representative of the good People of Virginia, will be happily concluded, with the same Disinterestedness, Moderation, and good Temper, I have hitherto experienced in former Sessions. And therefore, with my hearty Thanks, I give you this faithful Assurance, that in all Things proper for me to do, you shall not want my Concurrence and Assistance.

The

The Petition of Mr *Richard Booker*, complaining of an undue Election of Mr *Richard Jones*, to serve as a Burgefs in this prefent General Affembly, for the County of *Amelia*:

Alfo, the Petition of Mr *John Martin*, complaining of an undue Election and Return of Mr *Jonathan Gibfon*, to serve as a Burgefs in this prefent General Affembly, for the County of *Caroline*:

Alfo, the Petition of Mr *Richard Bland*, complaining of an undue Election and Return of Mr *Robert Munford*, to serve as a Burgefs in this prefent General Affembly, for the County of *Prince George*; were feverally read.

And a Petition of Mr *Daniel Hornby*, complaining of an undue Election and Return of Mr *William Fanleroy*, to serve as a Burgefs in this prefent General Affembly, for the County of *Richmond*.

Alfo, a Petition of Mr *William Harwood*, complaining of an undue Election and Return of Mr *Thomas Haynes*, to serve as a Burgefs in this prefent General Affembly, for the County of *Warwick*; were feverally prefented to the Houfe, and read.

Ordered, That the faid feveral Petitions be referred to the Confideration of the Committee of Privileges and Elections: That they examine the Matter of the faid Petitions; and report the fame, with their Opinions thereupon, to the Houfe.

Mr *Corbin* mov'd for Leave, to bring in a Bill, to regulate the Fees of Phyficians, and other Practicers of Phyfic.

Ordered, That Leave be given to bring in a Bill, according to the faid Motion; and that Mr *Corbin*, Mr *Harrifon*, Mr *Carter*, Mr *Waring*, Mr *Robinfon*, Mr *Fitzhugh*, and Mr *Turner*, do prepare and bring in the fame.

A Petition of *George Blackmore*, in Behalf of himfelf, and feveral others, therein named, was prefented to the Houfe, and read; praying, that their Ferriages, in Coming to the General Court, and the *Venire*, for the Trial of *Robert Brooks*, a Criminal from *Westmoreland*, and Returning; which were omitted in the laft Public Levy, may be allowed them.

Ordered, That the faid Petition be referred to the Committee for Public Claims: That they do examine the Matter thereof; and report the fame, with their Opinion thereupon, to the Houfe.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Confideration, the Returns of feveral Writs for EleCting of Burgeffes, to serve in this prefent General Affembly; and had agreed upon a Report; which he read in his Place: And afterwards delivered the fame in at the Table, where it was again read; and is as follows:

That it appears to the Committee, that the Returns of the feveral Writs for EleCting of Burgeffes for the Counties of *Elizabeth-City*, *Amelia*, *Brunfwick*, *Effex*, *Henrico*, *James-City*, *Lancaster*, *Norfolk*, *Prince William*, *Surry*, *Stafford*, *Spotsylvania*, *Warwick*, and *York*; the Return of the Writ for the EleCting of a Burgefs for *James Town*; the Return of the Writ for the EleCting of a Burgefs for the College of *William and Mary*; and the Return of the Writ for the EleCting of a Citizen for the City of *Williamsburg*; are made in the form prefcribed by Law.

That the Returns of the feveral Writs for EleCting of Burgeffes for the Counties of *Accomack*, *Caroline*, *Charles-City*, *Goochland*, *Gloucefter*, *Ifle of Wight*, *King George*, *King and Queen*, *King William*, *Middlefex*, *Northumberland*, *Northampton*, *Orange*, *New-Kent*, *Nanfemond*, *Princefs-Anne*, *Prince George*, *Richmond*, and *Westmoreland*, are not made, in the Form prefcribed by Law.

Ordered, That the faid Returns of the refpective Sheriffs of *Accomack*, *Caroline*, *Charles-City*, *Goochland*, *Gloucefter*, *Isle of Wight*, *King George*, *King and Queen*, *King William*, *Middlefex*, *Northumberland*, *Northampton*, *Orange*, *New-Kent*, *Nanfemond*, *Princefs-Anne*, *Prince-George*, *Richmond*, and *Westmoreland*, be amended by the Clerk, at the Table.

And they were amended accordingly.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday,

Tuesday, August 10, 1736.

A Motion being made, for Leave to bring in a Bill, for Laying a Duty upon Molaffes; and to give a Premium for Exporting of Wheat and Corn:

After a Debate, the Question was put, That Leave be given, to bring in a Bill, according to the said Motion.

It passed in the Negative.

Mr *Robinson* mov'd for Leave to bring in a Bill, to repeal an Act, pass'd in the Third and Fourth Years of His Majesty's Reign, for Repealing the Act *for the better and more effectual Improving the Staple of Tobacco, and for the better executing the Laws now in Force, against tending Seconds, and for the further Prevention thereof*; for so much thereof, as relates the Cutting up of Succours.

Ordered, That Leave be given to bring in a Bill, according to the said Motion: And that Mr *Acrill*, Mr *Robinson*, Mr *Willis*, Mr *Blair*, and Mr *Fitzhugh*, do prepare, and bring in the same.

A Petition of *Martha Taylor*, Widow, was presented to the House, and read; setting forth, that by an Act made in the Seventh Year of His late Majesty's Reign, *for Erecting the Counties of Spotsylvania, and Brunswick*, a Line was to be run from the *Northanna*, or North Branch of *Pamunkey* River, Westward, to include a Pafs, called the Northern Pafs, within the County of *Spotsylvania*; which was accordingly done by *James Taylor*, her late Husband, who was then Surveior of that Part of *Spotsylvania* County; but that no Satisfaction has been made to him, for that Service, nor for his Expences therein, which were very considerable; and praying the Consideration of the House therein.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

The House was inform'd, That a large Quantity of Tobacco, brought to *Grey's-Creek* Warehouse, in the County of *Surry*, before *March* last, as well what had been inspected, as what remained uninspected, had been burnt in that Warehouse; and that no Notice had been taken of the Losses of the respective Sufferers, by the Court for Proof of Public Claims, lately held in that County.

Ordered, That the Inspectors at the said Warehouse, lay their Books before the Committee for Public Claims; and that the County Court do, at their next Session, receive the Affidavits, or other Proof of the Owners of such Tobacco as was not inspected, and certify the same to the said Committee: And that it be an Instruction to the said Committee, to make Allowances to the Owners of all the Tobacco that was burnt, according to the Proofs which shall be laid before them.

Ordered, That it be an Instruction to the said Committee, to allow the Claims of such Persons, as have not proved the same at the Court for Proof of Public Claims, in their respective Counties, for want of Notice of the Time of holding such Courts; or have been prevented from doing it by other Accidents; but have proved the same before Justices of the Peace.

Mr *McCarty* mov'd for Leave to bring in a Bill, for the further Amendment of the Act to amend the Laws now in Force, *for the more speedy and easy Recovery of small Debts*.

Ordered, That Leave be given, to bring in a Bill, according to the said Motion; and that Mr *McCarty*, Mr *Blair*, Mr *Corbin*, Mr *Robinson*, and Mr *Fitzhugh*, do prepare, and bring in the same.

Mr *McCarty* also mov'd, for Leave to bring in a Bill, to repeal the Act pass'd at the last Session, *For the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent*:

And after a Debate, the Question being put, That Leave be given to bring in a Bill, according to the said Motion.

It passed in the Negative.

Ordered, That an Address be made to the Governor, to order the Naval Officers of the several Districts, to lay before the House forthwith, the Accounts of Sales of all the Slaves

Slaves imported into this Colony, since the Commencement of the Duty; namely, the Naval Officers of the lower District of *James River, South Potomack, York, and Rappahannock*; from that Time to the Twenty Fifth Day of *April, 1736*; except such as have been already delivered to the Treasurer: And if they have not yet got them, that they procure Copies from the Factors immediately.

Ordered, That a Committee be appointed, to prepare and draw up a State of that Duty, and the several Payments that have been made, with the Amount thereof.

And a Committee was appointed accordingly, of the following Persons:

Mr *Carter*,

Mr *Fitzhugh*,

Mr *Acrill*,

Mr *Harriſon*, and

Mr *Waring*.

Ordered, That Mr *Webb* be appointed Clerk to the said Committee.

Ordered, That the said Committee do wait on the Governor with the said Address.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration, the Petition of Mr *John Martin*, to them referred, complaining of an undue Election and Return, of Mr *Jonathan Gibson*, to serve as a Burgess in this present General Assembly, for the County of *Caroline*; and had partly heard as well the Petitioner, as the Sitting Member, and had come to diverse Resolutions thereupon; which he read in his Place: And afterwards delivered the Report in at the Table, where the same was again read.

And the Resolutions being read a second Time, were, upon the Question severally put, agreed to by the House; as follows:

Resolved, That the Persons who voted at the said Election, whose Freeholds are questioned, either by the Petitioner, or the Sitting Member, be examined, on Oath, before the Sheriff of *Caroline*, Whether they be freeholders, or not? Except such of them as did swear to their Freeholds at the Election.

Resolved, That the Petitioner, and the Sitting Member, be at Liberty to examine Witnesses before the Sheriff of *Caroline*, as to the Freeholds of any Persons who voted at the Election; altho' such Persons swore to their Freeholds at the Election, or shall swear to the same, before the Sheriff.

Resolved, That the Petitioner, and Sitting Member, be at Liberty to examine Witnesses before the Sheriff of *Caroline*, as to any Freeholders having voted at the Election, and whose Names are not inserted in the Poll.

Resolved, That the Witnesses not already examined before the Committee, as to the Tumult and Disorder said to be at the Election, be examined before the Committee, *Viva Voce*.

Resolved, That *Walter Chiles*, late Sheriff of *Caroline*, attend the Committee, with the original Poll, on *Wednesday* come Fortnight: That the Witnesses who are to be examined, *Viva Voce*, do then also appear before the Committee: And that the Sheriff of *Caroline*, do then likewise return the Examinations of the other Witnesses, and of the Freeholders who shall swear, or refuse to swear to their Freeholds before him.

Mr *Conway* also reported from the said Committee, That the Committee had had under their Consideration, the Petition of Mr *Richard Bland*, to them likewise referred, complaining of an undue Election and Return, of Mr *Robert Munford*, to serve as a Burgess in this present General Assembly, for the County of *Prince George*; and agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table, where it was again read: And agreed to by the House; as follows:

Resolved, That the Petitioner, and the Sitting Member, be at Liberty to examine their Witnesses before the Sheriff of *Prince George* County, as to the subject Matter of the Petition: And that the Sheriff return the Examinations to the Committee, on *Monday* come Fortnight.

Mr *Conway* also reported, from the said Committee, That the Committee had had under their Consideration, the Petition of Mr *Daniel Hornby*, to them likewise referred, complaining

complaining of an undue Election and Return of Mr *William Fantleroy*, to serve as a Burgess in this present General Assembly, for the County of *Richmond*; and agreed upon a Report; which he read in His Place: And afterwards delivered it in at the Table, where it was again read: And agreed to by the House; as follows:

Resolved, That the Petitioner, and the Sitting Member, be at Liberty to examine their Witnesses before the Sheriff of *Richmond*, as to the subject Matter of the Petition: And that the Sheriff return the Examinations to the Committee, on *Wednesday* come Fortnight.

Ordered, That Mr *Gibson*, Mr *Munford*, and Mr *Fantleroy*, have Leave to be absent from the Service of the House, in order to attend the Examination of the Witnesses, in Relation to their respective Elections.

A Petition of Mr *William Robinfon*, was presented to the House, and read; complaining of an undue Election, and Return of Mr *Charles Carter*, and Mr *Thomas Turner*, to serve as Burgesses in this present General Assembly, for the County of *King George*; For, that several Persons who voted at the said Election, have no other Freehold than an Acre or Half an Acre of Land conveyed to them for Life, by Mr *Carter*, or *John Mercer*, either on, or some few Days before the Day of the said Election, in Consideration of their Voting for the said *Charles Carter*, and such other Persons as would join in Interest with him; and that other Persons were admitted to Poll that were not Freeholders.

Ordered, That the said Petition be referred to the Consideration of the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Governor's Speech.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the said Speech.

Ordered, That the Speech be referred to the said Committee.

Mr *Speaker* left the Chair, and after some Time, resum'd it; and Mr *Corbin* reported, from the Committee, That they had had some Part of the Governor's Speech under Consideration, but had not Time to go thro' it; and therefore, he was directed to move for Leave to sit again.

Resolved, That the House will, to Morrow, again resolve itself into a Committee of the whole House, to consider further of the Governor's Speech.

Ordered, That Mr *Aylett* have Leave to be absent from the Service of the House 'til *Monday* next.

A Petition of the Minister and several of the Vestry-men of the Parish of *Warwick*, in the County of *Warwick*, was presented to the House, and read; setting forth, That that Parish hath Three Glebes, distant from one another, Two of which are of small Value; praying, to be enabled to sell them, to purchase other Land adjoining to that whereon the Minister now lives.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, August 11, 1736.

A Petition of several of the Vestry-men of the Parish of *St. John*, in the County of *King William*, was presented to the House, and read; setting forth, That they have Two separate Parcels of Glebe Land in the said Parish, which are inconvenient, and insufficient for a Glebe, according to the Directions of the Act, *For the better Support and Maintenance of the Clergy*; and praying, to be empowered to sell the said Two Pieces of Glebe Land, to enable them to purchase a better and more convenient

convenient Glebe; which otherwise cannot be done, without laying a very great Burthen on the Inhabitants of the said Parish.

Ordered, That the said Petition be referred to the Consideration of the Committee for Courts of Justice: That they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the Petition of the Ministers and Vestry-men of the Parish of *Warwick*, in the County of *Warwick*; praying, to be enabled to sell Two Glebes, for the purchasing of other Land, adjoining to that whereon the Minister lives, be likewise referred to the Consideration of the said Committee: That they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That *Mr Lyde*, and *Mr Macon*, have Leave to be absent from the Service of the House, 'til *Monday* next.

Mr Carter reported, That the Persons appointed to address the Governor, to order the Naval Officers of the several Districts, to lay before the House forthwith, the Accounts of Sales of all the Slaves imported into this Colony, since the Commencement of the Duty; namely, the Naval Officers of the lower District of *James River*, *South Potomack*, *York*, and *Rappahannock*, from that Time to the Twenty Fifth Day of *April*, 1736; except such as have been already delivered to the Treasurer; and if they have not yet got them, that they procure Copies from the Factors immediately; had attended him accordingly: And that he was pleas'd to say, they should be forthwith sent for, and laid before the House.

The Petition of *Martha Taylor*, which was presented to the House Yesterday, being read:

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, resolv'd it self into a Committee of the whole House, to consider the Governor's Speech; and after some Time spent therein, *Mr Speaker* resum'd the Chair; and *Mr Corbin* reported from the Committee, that they had had the Governor's Speech under their further Consideration, and made a further Progress therein; but not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolv'd, That this House will again resolve it self into a Committee of the whole House, to consider further of the Governor's Speech, on *Friday* next.

Order'd, That *Mr Richard Booker* have Leave to withdraw his Petition, complaining of an undue Election, of *Mr Richard Jones*, to serve as a Burgess in this present General Assembly for the County of *Amelia*.

Order'd, That the Committee of Privileges and Elections be discharged from proceeding further on the said Petition.

A Petition of *William Foard*, was presented to the House, and read; praying to be allowed for his Attendance as a Witness, on an Indictment depending in the General Court, in the Year 1731, which, by some Accident or Mistake, was not allowed him in the last Public Levy.

Order'd, That the said Petition be referr'd to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday,

Thursday, August 12, 1736.

A Petition of *Willoughby Newton*, and *Samuel Eskridge*, Inspectors, at *Yeocomico* Warehouse, was presented to the House, and read; setting forth, That in the Year 1735, the said Warehouse was broke open, and Three Hogheads of Crop, and 8000 Weight of Transfer Tobacco, stolen from thence, for which they have been obliged to pay the Owners of the said Tobacco; and praying, the Consideration of the House therein, and such Relief as the House shall think reasonable.

Order'd, That the said Petition be referr'd to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof, and report the same as it shall appear to them, with their Opinion thereupon, to the House.

Order'd, That it be an Instruction to the said Committee, that they do examine all Witneses, touching the Matter of the said Petition, in the most solemn Manner.

Mr Robinson, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several Propositions from several Counties, for repealing the Act for amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs: And also, several other Propositions from several other Counties, for amending the said Act; and had agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table, where it was again read.

And a Motion being made to put off the Consideration of the said Report; after a Debate, the Question was put, that the said Report be immediately considered. *Resolved in the Affirmative*.

A Motion being made, the House was called over, and the Names of the absent Members were again called over; and Excuses made for such of them as were absent, without the Leave of the House; which were allowed.

Then the first Resolution of the said Committee was again read; as follows:

Resolved, That it is the Opinion of this Committee, That the several Propositions, from the Counties of *King George*, *Stafford*, *Richmond*, *Westmoreland*, *Northumberland*, *Effex*, *Accomack*, *Northampton*, *Surry*, and *Isle of Wight*, for repealing the Act, intituled, *An Act for Amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*, be rejected.

And after a Debate, the Question was put, That the House do agree with the Committee in the said Resolutions?

The House divided. The Noes go forth.

Tellers	<i>Mr Conway</i> ,	{	for the Yeas,	{	Yeas 21.
	<i>Mr Robinson</i> ,		for the Noes,		Noes 31.

And so, it passed in the Negative.

Ordered, That Leave be given to bring in a Bill, for Repealing the Act, *For Amending the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs*: And that *Mr Conway*, *Mr Harrison*, *Mr McCarty*, and *Mr Moscoe*, do prepare, and bring in the same.

Ordered, That the Consideration of the other Resolution of the said Committee be put off, until it shall be called for by the House.

Mr Blair, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, the Petition of *Martha Taylor*, to them referred; and had agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table.

Ordered, That the said Report do lie on the Table, to be perused by the Members of the House.

The House being informed, That *Christopher Jackson*, Clerk of the County Court of *Nansemond*, attended at the Door, in Custody of the Serjeant at Arms, he was called in; and standing at the Bar of the House,

Mr Speaker acquainted him, That he had sent up to this General Assembly, several Propositions and Grievances, which, at a Court lately held for receiving Propositions, Grievances,

Grievances, and Public Claims, in the said County, were ordered to be certified, according to Law, without such Certificates: Which had given some Grounds of Suspicion to the House, That he had done it with some sinister Design; and therefore, the House had sent for him, to answer at the Bar, for that Breach of his Duty.

To which he answered, That he thought the said Propositions and Grievances had been duly certified; and that his omitting to certify them, was occasioned by Forgetfulness in a Hurry of Business, at the Time he delivered them to the Member who brought them up, which was Six Months ago, at the County Court: That it could not proceed from any ill Design whatsoever, because he lost his Fees for those Certificates: That he was sorry he had incurred the Displeasure of the House, and hoped they would judge favourably of him; and prayed Leave to make the proper Certificates now: And was ordered to withdraw. And the House being satisfied with his Excuse, and being moved with his low Circumstances and Poverty,

Ordered, That the said *Christopher Jackson*, have Leave to certify the said Propositions and Grievances: And that he be then discharged out of Custody, without paying Fees.

Mr Fitzhugh moved for Leave to bring in a Bill, to amend the Act for the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that *Mr Fitzhugh*, *Mr Conway*, *Mr Robinson*, *Mr Randolph*, and *Mr Acrill*, do prepare, and bring in the same.

A petition of *William Cox*, was presented to the House, and read; setting forth, That his Negro Woman Slave had broke open his House, stolen several of his Goods, desperately wounded his Son, burnt his Tobacco-house, murdered Three other of his Slaves, her Children, and drowned herself; whereby, he is reduced to Poverty: And praying the Consideration of the House therein, and such Relief as to the House shall seem mete:

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That several Records, which relate to the Facts set forth in the said Petition, be likewise referred to the said Committee.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, August 13, 1736.

Ordered,

THAT *Mr Kennon* have Leave to be absent from the Service of the House, 'til Thursday next.

Mr Fitzhugh moved for Leave to bring in a Bill, for Settling, Confirming, and Securing Titles to Land, lying in the Territory called, *The Northern Neck*, which are held under the Right Honourable *Thomas, Lord Fairfax*, Baron of *Cameron*, in that Part of *Great-Britain*, called *Scotland*.

Ordered, That Leave be given to bring in a Bill according to the said Motion; and that *Mr Fitzhugh*, *Mr Robinson*, *Mr Carter*, and all the Members of the *Northern Neck*, do prepare, and bring in the same.

Mr Blair, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, the Petition of *William Cox*, to them referred; and had examined the Matter thereof, so far as relates to the Loss of the Four Slaves therein mentioned, which they found to be true; and were of Opinion, that the Sum of Sixty Pounds, will be a reasonable Allowance for the Losses he has sustained.

Ordered, That it be an Instruction to the said Committee, to make the said Allowance to the said *William Cox*, in the Book of Claims.

A Petition of feveral of the Inhabitants of the Town of *Norfolk*, in the County of *Norfolk*, praying, that the Limits of the faid Town, may be enlarged; and the Freeholders, Inhabitants within the Bounds thereof, incorporated.

Alfo, a Petition of diverfe Inhabitants of the faid County, representing the Advantages that might accrue to the faid County in general, by incorporating the faid Town; were prefented to the Houfe, and read.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the faid Petitions; and that Mr *Bowfh*, Mr *Craford*, Mr *Walke*, Mr *Blair*, and Mr *Elligood*, do prepare, and bring in the fame.

Mr *Conway* prefented to the Houfe, according to Order, a Bill, for Repealing the A^ct, intituled, *An A^ct for amending the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs*; and Two other A^cts, *to amend and explain, and for continuing, and further amending that A^ct*: And the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee having had under their Confideration, feveral Public Claims that have been laid before them this Seflion: And feveral Difficulties arifing thereupon, the Committee defired the Direction of the Houfe therein: That it to fay;

Whether the Claims of feveral Sherifs, for removing Criminals to the Public Goal; and for Commitment, Releafement, and Maintenance of Slaves, in Prifon:

And the Claims for the Ferriages of Indians, and their Maintenance in *Williamsburg*, fhould be allowed as a Public Charge.

Ordered, That it be an Inftruction to the faid Committee, that they do allow the faid Claims, in the Book of Claims, to whom they fhall appear due, upon Proof made before them.

Mr *Corbin*, from the Committee for Courts of Juftice, reported, That the Committee had, according to Order, examined what Laws have expired fince the laft Seflion; and infpected fuch Temporary Laws, as will expire with, or foon after, the End of this Seflion; and agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table.

Ordered, That the faid Report be taken into Confideration, on *Wednesday* next.

Mr *Corbin* alfo reported, from the faid Committee, That the Committee had, according to Order, infpected the Journal of the laft Seflion; and agreed upon a Report of the Matters then depending, and undetermined, and the Progrefs that was made therein; which he read in his Place: And afterwards delivered it in at the Table.

Ordered, That the faid Report do lie on the Table, to be perufed by the Members of the Houfe.

The Houfe, according to Order, refolved itfelf into a Committee of the whole Houfe, further to confider the Governor's Speech; and after fome Time fpent therein, Mr Speaker refum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had had the Governor's Speech under their further Confideration, and made a further Progrefs therein; but not having Time to go through the fame, the Committee had directed him to move for Leave to fit again.

Refolved, That this Houfe will again refolve itfelf into a Committee of the whole Houfe, to confider further of the Governor's Speech, on *Monday* next.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, Auguft 14, 1736.

A N abfent Member having taken the Oaths appointed to be taken by A^ct of Parliament, inftead of the Oaths of Allegiance and Supremacy; and taken and fubfcribed the Oath of Abjuration, and fubfcribed the Teft; and taken the Oath of a Burgefs; was admitted to his Place in the Houfe.

Mr

Mr *Conway*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration, the Return of the Writ for Electing of Burgeffes to serve in this present General Assembly, for the County of *Hanover*; which is in these words:

"Hanover sc.

July 23, 1735.

"IN Obedience to this Writ to me directed, I fummoned all the Freeholders of the said County, to meet on this Day, then and there freely and indifferently to elect Two of the most able and discreet Persons of the said County, to serve as Burgeffes for the said County, as by the said Writ is required; and having then and there met, I used all the Means in my Power, to comply with the said Writ; but the People were so tumultuous and riotous, that I could not finish the Poll; for which Reason, no Burgeffes could be returned for the said County. This I return, as the Truth of the Case.

Peter Garland, Sheriff."

And had come [to] a Resolution; which he read in his Place: And afterwards delivered it in at the Table, where it was again read; and agreed to by the House, as follows:

Resolved, That *Peter Garland*, Sheriff of *Hanover*, do appear at the Bar of the House, to be examined upon the Matter of the said Return; and to give an Account of the chief Movers in the Tumult and Riot, which prevented him from causing an Election to be made.

Ordered, That the said *Peter Garland* do attend the House, to be examined accordingly, upon *Monday* Seven-night: And that the Serjeant at Arms give him notice of this Order.

Mr *Conway* also reported, from the said Committee, That the Committee had had under their Consideration, the Petition of Mr *William Robinson*, to them referred, complaining of an undue Election and Return of Mr *Charles Carter*, and Mr *Thomas Turner*, to serve as Burgeffes in this present General Assembly, for the County of *King George*; and had partly heard, as well the Petitioner, as the Sitting Member; and had come to diverse Resolutions thereupon; which he read in his Place: And afterwards delivered the same in at the Table, where they were again read.

And the Resolutions being read a second Time, were, upon the Question severally put, agreed to by the House, as follows:

Resolved, That previous to the Trial of the Merits of the said Election, *John Mercer*, and the Persons who are said to have accepted Leafes for Life from the said *Mercer* and from Mr *Carter*, the Sitting Member, in order to entitle them to vote at the Election for the said *Carter*, or such of them as the Petitioner, and the said *Carter*, respectively shall require, personally appear before the Committee, on *Tuesday* come Fortnight, to be examined upon that Matter.

Resolved, That the Persons who voted at the Election, whose Freeholds are questioned, either by the Petitioner, or the Sitting Members, be examined, upon Oath, before *Joseph Strother*, Gent. a Justice for the County of *King George*, Whether they be Freeholders, or not? Except such of them as did swear to their Freeholds, at the Election, and those that are said to have taken Leafes, as aforesaid.

Resolved, That the Petitioner, and the Sitting Members, be at Liberty to examine Witnesses before the said *Strother*, as to the Freeholds of any Persons who voted at the Election; except those who are said to have taken Leafes, as aforesaid, altho' such Persons swore to their Freeholds at the Election, or shall swear to the same, before the said *Strother*.

Ordered, That the Bill for Repealing the Act, intituled, *An Act for amending the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs*; and Two other Acts to amend and explain, and for continuing, and further amending that Act, be read a second Time, on *Tuesday* next.

Ordered, That Mr *Haynes* have Leave to be absent from the Service of the House, all the next week.

Ordered,

Ordered, That Mr *Reddick* have Leave to be absent from the Service of the House, 'til *Wednesday* next.

The House proceeded to the Consideration of the Report from the Committee for Public Claims, upon the Petition of *Martha Taylor*; and the same was read.

And a Clause in an Act of the General Assembly, pass'd in the 7th Year of the Reign of the late King *George the First*, for *Erecting the Counties of Spotsylvania, and Brunswick; and granting certain Exemptions and Benefits to the Inhabitants thereof*, was read; and an Amendment made to the Report:

And the Report being read a second Time, Part was agreed to, and Part disagreed to, by the House.

Resolved, That 16000 Pounds of Tobacco be paid to the said *Martha Taylor*.

Resolved, That the same be paid by the Counties of *Spotsylvania, Hanover, and Orange*, in Proportion to the Number of Tithables in each County.

Ordered, That a Clause be prepared to be inserted in the Bill, for *Raising a Public Levy*, to charge those Counties with the Payment thereof.

Ordered, That the House be adjourned 'til *Monday Morning*, Eleven o'Clock.

Monday, August 16, 1736.

A Claim of Mr *Edmund Scarburg*, for a Negro Slave, who had dangerously wounded another Slave, and fled for it; and being discovered, and like to be apprehended by his Overfeer, assaulted him, whereby the said Overfeer was obliged to discharge his Gun at him; which gave him a mortal Wound, of which he died; was presented to the House.

Ordered, That the said Claim be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Governor's Speech; and after some Time spent therein, Mr Speaker resum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had proceeded further in the Consideration of the Governor's Speech, and made a further Progress therein; but not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider further of the Governor's Speech, To-morrow.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgefs; was admitted to his Place in the House.

Mr *Carter* mov'd for Leave to bring in a Bill, to amend the Act for lessening the Penalties for Killing Deer at unseasonable Times; and for the better Recovery thereof.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *Carter*, Mr *Fitzhugh*, Mr *Beverley*, and Mr *Green*, do prepare, and bring in the same.

Mr *Robinson*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several other Propositions from several Counties, and had come to diverse Resolutions thereupon; which he read in his Place: And afterwards delivered the same in at the Table, w[h]ere they were again twice read. And upon the Question severally put, agreed to by the House, as follows:

Resolved, That the Proposition from *Spotsylvania* County, for making Attornies Fees distrainable, be rejected.

Resolved,

Resolved, That the several Proposition from the Counties of *Surry*, *Isle of Wight*, and *Nansemond*, for obliging every Tithable in those Counties, to kill a certain Number of Squirrels and Crows, Annually, be rejected.

Resolved, That the Propositions from *Prince George* County, for Repealing the Laws, for the more speedy and easy Recovery of small Debts, be rejected.

Resolved, That the several Propositions from the Counties of *Caroline*, *King George*, and *Spotsylvania*, for amending the Laws for the more speedy and easy Recovery of small Debts, be referred to the Consideration of the Committee, to whom it is referred, to prepare, and bring in a Bill for that Purpose.

Resolved, That the People called Quakers, be excus'd from Personal Appearance in Mufters of the Militia; provided each Man equip, and send a fit Person in his Room.

Ordered, That Leave be given to bring in a Bill, to give certain Encouragements to the Inhabitants of the new Settlements at *Sherendo*: And that the Committee of Propositions and Grievances, do prepare, and bring in the same.

A Petition of *Lewis Burwell*, Gent. was presented to the House, and read; setting forth, That he is seised in Fee Tail, of 1400 Acres of Land, in the Counties of *James-City*, and *York*, where his Mansion-house is; and of 4800 Acres of Land, in the County of *King William*: And that he is also seised in Fee Simple, of 650 Acres of Land, in the Counties of *York*, and *James-City*, (contiguous and adjoining to the said 1400 Acres;) and of 1800 Acres, in the County of *Isle of Wight*, of greater Value than the said 4800 Acres: And praying, that Leave may be given to bring in a Bill, to dock the Entail of the said 4800 Acres; and for settling the said Fee Simple Lands, in Lieu thereof, to the same Uses: Which will be for the Advantage of his eldest Son; and enable him better to provide for his younger Children.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that Mr *Robinson* prepare, and bring in the same.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, August 17, 1736.

MR. *Randolph* mov'd for Leave to present a Petition of the People called Quakers, complaining of the Hardships they labour under, by being obliged to pay Parish Levies; and praying to be excus'd from paying those Levies for the future.

And the Question being put, That the said Petition be brought up to the Table.

It pass'd in the Negative.

A Petition of Mr *Peter Hedgman*, complaining of an undue Election and Return of Mr *Thomas Osborne*, to serve as a Burgess in this present General Assembly, for the County of *Prince William*: For that the said *Osborne* had been guilty of diverse illegal Practices, to induce People to vote for him; and he, or others for him, gave away great Quantities of Liquor, after the Writ issued, to engage Persons Votes: That he being an Inspector at the Time of issuing the said Writ, and for some Time before, did endeavour to influence People who brought their Tobacco to be inspected, by demanding of them, who they would vote for; and several weak Persons promis'd to vote for him, for Fear he should refuse their Tobacco: That he promis'd several Persons to procure them to be made Inspectors, in Case they would vote for him: And by those, and other illegal Practices, procur'd a Majority of Votes.

Ordered, That the said Petition be referred to the Consideration of the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, resolv'd itself into a Committee of the whole House, further to consider the Governor's Speech; and after some Time spent therein, Mr Speaker resum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had proceeded

proceeded further in the Consideration of the Governor's Speech, and made a further Progress therein; but not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider further of the Governor's Speech, To-morrow.

A Petition of Mr *John Wilson*, was presented to the House, praying to be allowed Part of a Claim therein mentioned, that was omitted in laying the last Public Levy.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

A Bill for Repealing the Act, intituled, *An Act for amending the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs*; and Two other Acts, to amend and explain, and for continuing, and further amending that Act; was, according to Order, read the second Time.

Ordered, That the Bill be Ingrossed.

Ordered, That Mr *Harriſon* have Leave to be absent from the Service of the House, 'till To-morrow Seven-night.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, August 18, 1736.

MR. *Carter* reported, That the Committee, to whom it is referred to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, had had under their Consideration, such Accounts of that Duty for the Years 1732, 1733, and 1734, as have hitherto been returned into the Treasury; and having discovered diverse fraudulent Concealments of that Duty, had agreed upon a Report; which he read in his Place: And afterwards delivered the same in at the Table, where it was again read, as follows:

That it appears to the Committee, That considerable Numbers of Slaves have been imported into this Colony, from the *West-Indies*, and other His Majesty's Plantations in *America*, consigned to the Masters of Vessels importing the same; or to Merchants, Strangers, or Passengers, on board such Vessels, who have sold the Slaves to them respectively consigned; and then departed this Colony, without rendering any Accounts of the Sales, or paying any Duty for such Slaves.

That others have been consigned to, and imported by, diverse Inhabitants of this Colony; and in their Accounts delivered to the Naval Officers, are said to be kept by the Importers, for their own Use; but nevertheless, have been actually sold, and no Accounts of the Sales rendered, nor Duty paid.

That the Method of accounting for the said Duty, as hitherto practiced, is irregular and defective, and has occasioned Concealments to a considerable Value, by Persons who have bought Slaves, but never paid the Duty; which will more fully appear, when your Committee shall be enabled to perfect their Inquiries by the Accounts of the Sales not yet delivered in, or laid before the House.

And that to prevent the lessening the Public Revenue, by such Practices for the future, it will be necessary to prepare, and bring in a Bill, *for the better and more effectual Collecting the Duty upon Slaves, to be paid by the Buyers; and for preventing Frauds.*

Ordered, That Leave be given to bring in a Bill, *for the better and more effectual Collecting the Duty upon Slaves, to be paid by the Buyers*; and that the said Committee do prepare, and bring in the same.

Mr *Corbin*, from the Committee for Courts of Justice, reported, That the Committee had had under their Consideration, the Petition of several of the Vestry-men of the Parish of St. *John*, in the County of *King William*, to them referred; and had agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table, where it was again read, and agreed to by the House.

Ordered,

Ordered, That Leave be given to bring in a Bill, to impower the Veftry-men of the Parifh of *St. John*, in the County of *King William*, to fell Two feparate Pieces of Glebe Land, in the faid Parifh, to enable them to purchafe a better and more convenient Glebe, in Lieu thereof: And that the Committee for Courts of Juftice, do prepare, and bring in the fame.

A Petition of *Walter Lutwidge*, of *Whitehaven*, in the Kingdom of *Great Britain*, Merchant, was prefented to the Houfe, and read; fetting forth, That one *William Jackson*, Mafter of the Ship *Brothers*, of *Whitehaven* aforefaid, on the Fifth Day of *July*, 1732, did import into this Colony, and enter in Port *South Potomack*, Fifty Hogfheads Fourteen Tierces and One Barrel of Rum, upon the Petitioner's Account, for which he paid the Duty to *Thomas Lee*, Efq; then Naval Officer there: And afterwards, before the End of Three Months from the Time of the faid Importation, did export Two Thoufand Gallons of the fame Rum into the Province of *Maryland*; but neglecting to make his Report thereof within the faid Three Months, the Naval Officer refufed to pay back to the faid *Jackson*, the Duty for the faid Two Thoufand Gallons of Rum: And praying, that he may now be allowed to draw back the Duty for the faid Two Thoufand Gallons of Rum.

Ordered, That the faid Petition be referred to the Confideration of the Committee to whom it is referred, to prepare and draw up a State of the Duty upon Slaves, and the feveral Paiments that have been made, with the Amount thereof: That they do examine the Matter of the faid Petition; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

Mr Conway, from the Committee of Privileges and Elections, reported, That the Committee had had under their Confideration, the Petition of *Mr Peter Hedgman*, to them referred, complaining of an undue Election and Return of *Mr Thomas Osborne*, to ferve as a Burgefs in this prefent General Affembly, for the County of *Prince William*; and had agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table.

Ordered, That the faid Report be taken into Confideration, on *Friday* next.

A Bill, intituled, an Aft, for Repealing the Aft, intituled, *An Aft for amending the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs*; and Two other Afts to amend and explain, and for continuing, and further amending that Aft; was read the third Time.

And after a Debate, the Queftion was put, That the Bill do pafs.

The Houfe divided. The Yeas go forth.

<i>Mr Robinfon</i> ,	{ for the Yeas,	{ Yeas 33.
Tellers		
<i>Mr Conway</i> ,	{ for the Noes,	{ Noes 24.

And fo, it was refolved in the Affirmative.

Ordered, That *Mr Conway*, *Mr McCarty*, *Mr Mofcoe*, *Mr Price*, *Mr Turner*, and *Mr Berkeley*, do carry the Bill to the Council, and defire their Concurrence.

Ordered, That *Mr Edmunds* have Leave to be abfent from the Service of the Houfe, 'til *Monday* next.

Ordered, That *Mr Grey* have Leave to be abfent from the Service of the Houfe, 'til this Day Seven-night.

The Houfe, according to Order, refolved itfelf into a Committee of the whole Houfe, further to confider the Governor's Speech; and after fome Time fpent therein, *Mr Speaker* refum'd the Chair: And *Mr Corbin* reported, from the Committee, That they had had the Governor's Speech under their further Confideration, and gone through the fame; but not having Time to draw up a Report, the Committee had directed him to move for Leave to fit again.

Resolved, That this Houfe will again refolve itfelf into a Committee of the whole Houfe, to confider of the faid Report, To-morrow.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday,

Thursday, August 19, 1736.

Ordered,

THAT the Consideration of the Report from the Committee for Courts of Justice, put off 'til Yesterday, be further put off 'til To-morrow.

Resolved, That this House will, To-morrow, resolve itself into a Committee of the whole House, to consider of the Report to be made upon the Governor's

Speech.

Ordered, That Mr *Waring* have Leave to be absent from the Service of the House, 'til Monday next.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, August 20, 1736.

MR. *Carter* reported, That the Committee appointed to prepare, and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, had had under their Consideration, the Petition of *Walter Lutwidge*, to them referred; and had agreed upon a Report; which he read in his Place: And afterwards delivered it in at the Table, where it was again read, as follows:

That it appears to the Committee, That *William Jackson* imported and entered in the District of *South Potomack*, June 26, 1732, Six Thousand Seven Hundred Sixty Eight Gallons and an Half of Rum, and paid the Duty of One Penny per Gallon, to the Collector of that District.

That the said *William Jackson* exported Two Thousand Gallons thereof, to Port *Potomack*, in *Maryland*, and paid the Duty there, July 5, 1732, as appears by a Certificate from the Naval Officer of that Port, under the Seal of his Office.

And thereupon, it is the Opinion of the Committee, That the Nett Duties paid here for the Quantity exported, ought to be drawn back; and the Sum of Five Pounds Thirteen Shillings and Four Pence, allowed to the Petitioner, *Walter Lutwidge*.

Ordered, That it be an Instruction to the Committee for Public Claims, that they make the said Allowance to the said *Walter Lutwidge*, in the Book of Claims.

Mr *Robinson*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several other Propositions from several Counties; and had come to diverse Resolutions thereupon; which he read in his Place: And afterwards delivered the same in at the Table, where they were again read; and with an Amendment to one of them, upon the Question severally put, agreed to by the House, as follows:

Resolved, That the Proposition from the County of *Nansemond*, from the People in that County, called *Quakers*, to be exempted from the Payment of Parish Levies, except for the Maintenance of the Poor, be rejected.

Resolved, That the Proposition from the County of *Spotsylvania*, for amending the Law concerning Strays, be rejected.

Resolved, That the Proposition from the County of *King William*, for the better Government of Slaves, be rejected.

Resolved, That the Proposition of certain *German* Inhabitants, in the County of *Orange*, for settling their Titles to some Lands in that County, in order to quiet their Minds, be rejected.

Resolved, That the Proposition from *Spotsylvania* County, for erecting a Court-House in the Center of the County, be rejected.

Resolved, That the Proposition from *Spotsylvania* County, for adding thereto Part of the County of *Orange*, be rejected.

Resolved,

Resolved, That the Proposition from *Orange* County, to prevent Rogues coming into that County, from the Northern Colonies, be rejected.

Resolved, That the Proposition from the Inhabitants of the Town of *Tappahannock*, in the County of *Effex*, to prevent Swine running at large in that Town, be rejected.

Resolved, That the Proposition from *Caroline* County, for repealing the Law for suspending the levying Executions, or making Distresses for Tobacco, between the last of *August*, and the last of *December*, Yearly, be rejected.

Resolved, That the Proposition from the County of *Caroline*, of the Upper Inhabitants of the Parish of *Drydale*, and the Vestry of the Parish of *Saint Mary*, for adding Part of the said Parish of *Drydale*, to the said Parish of *St. Mary*, be rejected.

Resolved, That the Consideration of the Proposition from the County of *Caroline*, of diverse of the Freeholders, and other Inhabitants of the Parish of *St. Margaret*, for the Division of that Parish, and the Parish of *Drydale*; and for erecting the Upper Parts of the same, into one distinct Parish, be deferred 'til the next Session of Assembly.

Ordered, That Leave be given to bring in a Bill, for allowing Fairs to be kept at the Town of *Fredericksburg*.

Ordered, That Leave be given to bring in a Bill, for altering the Method of Payment of the Rewards for killing Wolves.

Ordered, That Leave be given to bring in a Bill, for appointing Public Ferries to be kept from the Land of *William Lowry*, in *Effex*, across *Rappa[han]nock* River, to the Land of *Benjamin Rust*, in *Richmond*; and from thence across, to the said *Lowry's*. And that the Committee of Propositions and Grievances, do prepare, and bring in the Bills.

The several Petitions following, were presented to the House, and read, *viz.*

A Petition of sundry Freeholders and Inhabitants of the Upper Part of the Parish of *Christ Church*, in the County of *Middlesex*, whose Names are thereunto subscribed; setting forth, That the said County is but one Parish, in which there are Three Churches; and that Divine Service is not alternately performed at each of those Churches, to the great Grievance of the Upper Inhabitants of the said Parish: And praying, that the said Parish may be divided, and made Two distinct Parishes, there being a sufficient Number of Tithables within the same:

Also a Petition of Mr *Matthew Kemp*, in Behalf of himself, and the Majority of the Principal and other Freeholders and House-keepers of the said Parish, against such Division; and praying to be heard, before the House shall come to a Resolution thereupon.

Ordered, That the Petition of the Freeholders and Inhabitants of the Upper Part of the said Parish of *Christ Church*, be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That Mr *Matthew Kemp* be heard before the said Committee, upon the Matter of the said Petition, by himself, or his Council, if he thinks fit.

A Motion being made to put off the Consideration of the Report from the Committee of Privileges and Elections, upon the Petition of Mr *Peter Hedgman*, complaining of an undue Election and Return of Mr *Thomas Osborne*, to serve as a Burgess in this present General Assembly, for the County of *Prince William*:

Ordered, That the Consideration of the said Report, be put off 'til To-morrow; and that the said Mr *Osborne* be then heard, by his Counsel, at the Bar of the House.

The several Petitions following, were presented to the House, and read, *viz.*

A Petition of *William Morris*, of the County of *New-Kent*; setting forth, That his Negro Man Slave having murdered another of his Slaves, afterwards murdered himself; and praying the Consideration of the House:

And also, a Petition of *Joseph Peace*, of the County of *Hanover*; setting forth, That one of his Slaves who had murdered another of them, afterwards hang'd himself; and praying the Consideration of the House:

And

And also, a Petition of Mr *John Aylett*; setting forth, That since the last Session of Assembly, he has, at his own Charge, built another House for the Reception of Tobacco at *Aylett's Warehouse*; and praying to be repaid the Expence thereof.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

Mr *Eaton* mov'd for Leave to present a Petition of *Benjamin Morris*, of *James-City* County, praying to be paid for a Slave, that hang'd himself, in the Public Levy.

And the Question being put, That the said Petition be brought up to the Table.

It passed in the Negative.

Complaint being made to the House, by Mr *Peter Bowdoin*, a Member of the House, that one *Thomas Carson* had lately wrote and published a Paper, containing several unjust and scandalous Reflections upon the said Mr *Bowdoin*, in Breach of the Privilege of this House:

Ordered, That the Consideration of the said Complaint, be referred to the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Report from the Committee for Courts of Justice: And thereupon,

Ordered, That Leave be given to bring in a Bill, for continuing the Act, intituled, *An Act for better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned; with some Explanations.*

Resolved, That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to consider of the Heads of the said Bill.

Ordered, That Leave be given to bring in a Bill, for further continuing the Act for *destroying Crows and Squirrels, in the Northern Neck, and on the Eastern Shore.* And that the Committee for Courts of Justice, do prepare, and bring in the same.

Then a Motion was made, and the Question put, That Leave be given to bring in a Bill, for *Destroying Crows and Squirrels, in all the other Parts of the Colony.*

Resolved in the Affirmative.

Ordered, That Leave be given to bring in a Bill, for *destroying Crows and Squirrels, throughout the Colony, on the South Side Rappahannock River:* And that Mr *Fitzhugh*, Mr *Carter*, and Mr *Corbin*, prepare, and bring in the same.

Ordered, That Mr *James Ball* have Leave to be absent from the Service of the House, for the Recovery of his Health.

The House, according to Order, resolv'd itself into a Committee of the whole House, to consider of the Report to be made upon the Governor's Speech; and after some Time spent therein, Mr Speaker resum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had gone through the Governor's Speech; and were come to several Resolutions thereupon: Which he read in his Place, and delivered in at the Table.

Ordered, That the said Report be taken into Consideration, on *Monday* next.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, August 21, 1736.

Ordered,

THAT Mr *Crafford* have Leave to be absent from the Service of the House, 'til *Thursday* next.

Mr *Conway* presented a Petition of Mr *John Champ*, complaining of an undue Election and Return of Mr *Charles Carter*, and Mr *Thomas Turner*, to serve as Burgeesses in this present General Assembly, for the County of *King George*; and pray'd the same might be received.

And

And after a Debate, the Question was put, That the said Petition be brought to the Table.

It passed in the Negative.

The several Petitions following, were presented to the House, and read, *viz.*

A Petition of *William Morris*; setting forth, That one *John Jeffs*, lately in the Prison of the County of *New-Kent*, for want of Security for his Appearance, to answer the Suit of *William Chamberlayne*, Gent. in an Action on the Case, broke the said Prison, and escaped. And the Petitioner being then Sheriff of the said County, a Conditional Judgment pass'd against him, and the said *Jeffs*; which was afterwards confirmed, for Eleven Pounds Three Shillings and Four Pence Current Money, and Costs of Suit, amounting to 126 *lb.* of Tobacco, with a Lawyer's Fee: All which the Petitioner has been forced to pay; and praying such Relief, as to the House shall seem meet.

Also, a Petition of *Jonathan Gibson*, to the County Court of *King George*; setting forth, That there not being sufficient Room for the Reception of Tobacco in the Public Warehouses, which were built by him, according to his Agreement with the Commissioners for that Purpose appointed, he was encouraged by the County Court, to hire another House of Mr *Thomas Turner*, adjoining to the said Public Warehouse; for which the Petitioner is engaged to pay the said *Turner*, one Third of the Rent, as the same was settled at the last Session of Assembly: And that the Expence he has been at in keeping the Houses in Repair, and fixing and repairing the Prizes, amounts to very near as much as his whole Rent: And certified to the General Assembly, at a Court lately held for Proof of Public Claims, in the said County.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Report from the Committee of Privileges and Elections, upon the Petition of Mr *Peter Hedgman*, complaining of an undue Election and Return of Mr *Thomas Osborne*, to serve as a Burgess in this present General Assembly, for the County of *Prince William*: Wherein the said Committee report, that they heard as well the Petitioner, as the Sitting Member, by their Counsel; as also the Depositions of diverse Witneffes, legally taken, upon a Complaint against the said *Osborne*, for diverse Misdemeanors in the Office of Inspector. Whereupon, it appears to the Committee,

That the said *Osborne*, whilst he was an Inspector, was guilty of very enormous Misdemeanors in that Office, in Breach of his Oath, and the Duty of his said Office: Therefore, the Committee, without examining into the several Allegations of the Petition, which they reserve to be done hereafter, if there shall be Occasion, had come to several Resolutions.

And Mr *Osborne* being called upon to make his Defence, informed the House, that he could not procure Counsel to appear for him; and therefore declined being heard at the Bar of the House.

Resolved, That Mr *Osborne*, be heard in his Place, against the said Report; and then withdraw.

Then he desired, that several of the Depositions mentioned in the Report, and a Paper, giving him a Character, subscribed by several Persons, and a Deposition of one *Lucas*, might be read.

And Mr Speaker acquainted him, That if the Evidence, which had been given in, before the Committee, was not fully stated, he might move for a Commitment of the Report; but that the House would proceed upon the Matter, as it was stated by the Committee, unless he could give Reasons for committing it.

Then Mr *Osborne* mov'd, That the said Report might be committed, for a fuller State of the Evidence; and that the several Depositions of *John Coles*, *Simon Lutterel*, *Bur Harrifon*, and *William Bland*, might be read, and they were read accordingly; and

and he made his Observations upon them; and endeavoured to shew the Insufficiency of the Proof, and a Contradiction of one Deposition to another: And after being fully heard, withdrew.

Then the Question was put, That the said Report be committed, for a fuller State of the Evidence.

It passed in the Negative.

Then the Resolutions of the said Committee, were severally read.

And upon the Question severally put upon them, were agreed to by the House, *Nemine Contradicente*, as follows:

Resolved, That the said Mr *Thomas Osborne* having been guilty of very enormous Misdemeanors, in the Office of an Inspector, in Breach of his Oath, and the Duty of his said Office, is unworthy to sit as a Member in this House.

Resolved, That the said Mr *Osborne*, for his said Misdemeanors, be expelled this House.

Resolved, That the said Mr *Osborne* be disabled to sit and vote as a Member of this House, during this present General Assembly.

Ordered, That an Address be made to the Governor, to remove the said Mr *Osborne* from the Commission of the Peace, and all other Offices in this Government:

And, to order a new Writ to issue, for Electing another Burgesses to serve in this present General Assembly, for the County of *Prince William*, in the room of the said *Thomas Osborne*, expelled this House: And that Mr *Carter*, Mr *Randolph*, Mr *Conway*, and Mr *Acrill*, do attend the Governor with the said Address.

The Petition of Mr *John Wilson*, praying to be allowed Part of a Claim therein mentioned, that was omitted in Laying the last Public Levy, was read.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the House be adjourned 'til Monday Morning, Eleven o'Clock.

Monday, August 23, 1736.

Ordered,

THAT Mr *Reddick* have Leave to be absent from the Service of the House, to attend a sick Family.

A Motion being made, after a Debate, the Question was put, That Leave be given to bring in a Bill, to make all county Ferries, Public Ferries.

It passed in the Negative.

Ordered, That Leave be given to bring in a Bill, for settling the Rates of County Ferries: And that the Committee of Propositions and Grievances prepare and bring in the same.

Mr *Fitzhugh* presented to the House, according to Order, A Bill to destroy Crows and Squirrels throughout the Colony of Virginia, on the South Side the River Rappahannock.

Ordered, That the said Bill do lie on the Table, to be perused by the Members of the House.

The House being informed, that the Sheriff of *Hanover* attended at the Door, he was called in; and standing at the Bar, Mr Speaker recited the Writ for Electing of Burgesses to serve in this present General Assembly, for the said County, and the Return thereof; and demanded of him, the Reason of his making such Return; and who were the Persons that occasioned the Tumult, which prevented him from proceeding in the Election, according to the Writ.

To which he answered, That he believed the Candidates had distributed too much strong Liquor amongst the People, which made them so disorderly, that he was twice obliged

obliged to give over taking the Poll, but intended, nevertheless, to have proceeded, if they had not still grown more tumultuous than before: Therefore he consulted with Mr *Attorney-General*, who happened to be there present, who advised him to desist from proceeding any further, and to make a Return, according to the Truth of the Case; as he had done: And that *Thomas Proffer*, *Matthew Anderson*, and *Pouncey Anderson*, were, as far as he could observe, the principal Promoters and Encouragers of those Disorders: And was ordered to withdraw.

Then the Question was put, Whether the Return of the Writ for Electing of Burgesses, to serve in this present General Assembly, for the said County of *Hanover*, be a good Return?

Resolved in the Affirmative.

And a Motion being made,

Ordered, That *Thomas Proffer*, *Matthew Anderson*, and *Pouncey Anderson*, be sent for, in Custody of the Serjeant at Arms, to answer their Misdemeanors, in raising a Tumult in the County of *Hanover*, on the Day appointed for Electing of Burgesses, to serve in this present General Assembly, for that County, to the Hindrance of the Execution of the Writ.

The House, according to Order, proceeded to the Consideration of the Report from the Committee of the whole House; and the same was twice read; and with an Amendment, agreed to, by the House, as follows:

Resolved, That a Bill be prepar'd, for the better Regulation of the Militia.

Resolved, That a Tax of Six Pence for each Tithable Slave, be laid on the Owners of Slaves (except those that have but one) towards Arming the poor People, to serve in the Militia, in the several Counties.

Resolved, That the Duty be collected by the respective Sheriffs, in their several Counties, to be paid by them to such Person as shall be appointed by the Court-Martial; the Receiver thereof, who shall give Bond with Security, to the King, before the County Court, to account for it; and shall once a Year present his Account to the County Court, to be recorded: And that such Accounts shall be transmitted by the respective Clerks to the General Assembly.

Resolved, That all Persons above the age of 16 Years, shall be lifted to serve in the Militia, except Apprentices and Servants.

Resolved, That Provision be made, for obliging Patrollers to go out on certain Occasions.

Resolved, That free Mulattos and free Negroes, above the Age of 16 Years, shall be lifted, and appear in Arms at Musters, and be exercis'd and disciplin'd in a separate Body.

Resolved, That the Court-Martial shall have Power to excuse such Persons, as thro' Age and Infirmities, shall seem to them incapable to muster.

Resolved, That a Court-Martial shall be held once a Year, at such Time as the County-Lieutenant, or chief Commanding Officer in the County, shall appoint; who shall be fined 5 *l.* if he fails to appoint.

Resolved, That every Colonel, Lieutenant-Colonel, or Major, failing to appear at such Court, shall be fined 50 *s.*

Resolved, That the Lieutenant of any County, or other chief Commanding Officer, resident in the County, failing to appoint a General Muster, shall forfeit 5 *l.*

Resolved, That the Captain of every Troop or Company, or the next Commanding Officer, in his Absence, shall return a List of the Persons failing to appear at Musters; or shall be fined 50 *s.*

Resolved, That every Person lifted to serve in the Horse, shall be fined 5 *s.* or 50 *lb.* Tobacco; and every Person lifted in the Foot, 2 *s.* 6 *d.* or 25 *lb.* Tobacco, for not appearing at Musters, compleatly armed and accoutred; so that no Person be fined above Five Times a Year; and that it shall be in the Election of the Party fined, to pay either Money, or Tobacco.

Resolved,

Resolved, That Notice shall be given at every Church and Chappel in each County, of the Time of holding a Court Martial.

Resolved, That the Clerk deliver to the Sheriff, all the Orders of the Court Martial, for fining Delinquents: Which Fines, the Sheriff is to collect and receive; and upon Non-payment, to levy by Distress and Sale of the Goods of the Delinquent, within a certain Number of Days, after public Notice, without further Warrant; and pay the same to such Person, as the Court-Martial shall appoint to receive them; who shall account for them to such Court.

Resolved, That if the Sheriff refuse to collect and levy such Fines, or shall fail to account for, and pay, such as he shall have received, to such Person or Persons, as the Court-Martial shall appoint; on Motion to the County Court, or General Court, Judgment shall be given against him, for such Fines as he shall have received, and for refusing or neglecting to collect such Fines, he shall be fined, at the Discretion of the Court.

Resolved, That every Captain of a Troop or Company, who shall fail to muster, and exercise his Troop or Company Four Times a Year, shall be fined Twelve Shillings for every Omission; and every Lieutenant, who fails to appear at a Muster, Ten Shillings; and every Cornet, or Ensign, Seven Shillings and Six Pence.

Resolved, That the Lieutenant-Colonel, or chief Commanding Officer, resident in any County, be empowered to appoint Patrollers, to visit the Negro Quarters, at such Times as he shall think fit; and in Recompence for that Service, they shall be exempted from paying Public, County, and Parish Levies, and from attending at private Musters; and if they fail in their Duty, they shall be liable to a Penalty.

Resolved, That if any Person fails to do his Duty, or is disobedient, at a private Muster, he shall be punished by a Court-Martial, to be called by his Commanding Officer, and to consist of the Commission-Officers then present: Or, if any Person fails to do his Duty, or is disobedient, at a General Muster, by a Court-Martial, to consist of the Field-Officers, and Captains, according to the Law now in Force, in both Cases.

Resolved, That the Persons exempted from personally appearing at Musters by the Law now in Force, except free Negroes and Mulattos, be still exempted.

Resolved, That if any exempted Overseer appear at a Muster, he shall pay 10 s. or 100 lb. Tobacco.

Resolved, That Negroes be not allowed to beat a Drum at their Quarters; and if the Patrollers find any Drum at any such Quarter, they shall destroy it.

Resolved, That the Militia shall be Armed as is directed by the Law now in Force.

Resolved, That the Arms to be provided at the Public Charge, shall be distributed, by the Court-Martial, and no Property shall be vested in any Person to whom such Arms shall be delivered; nor shall the same be liable to be seized or taken in Execution for Debt, or any other Cause whatsoever: But it shall be in the Power of any Officer of the Militia, to seize such Arms, if he thinks them in Danger of being lost or made away with, in the Hands of any Person whatsoever; and those Arms shall only be made Use of for Exercising at Musters, or when the Militia shall be drawn out into actual Service.

Resolved, That the Fines and Penalties which shall be incurred, be applied to the same Uses as directed by the Law now in Force; but that the Fines incurred in every particular Troop or Company, be applied in the first Place, to the Use of the same Troop or Company, until they shall be supplied with all Necessaries, and afterwards to those Uses, by the Discretion of the Court-Martial.

Resolved, That the Court-Martial shall have Power to appoint a Clerk, and pay him according to their Discretion out of the Fines.

Resolved, That every Captain of a Troop or Company, shall have Power to chuse a fit Person out of his Troop or Company, to officiate as Clerk to the same: And that such Clerk may be permitted to appear at Muster without Arms.

Resolved, That any Soldier, who shall refuse to serve as a Serjeant, Corporal, Drummer, or Trumpeter, being thereto appointed by his Captain, be fined 50 s. or 500 lb. of Tobacco; provided that such Person shall be fined but once.

Resolved,

Resolved, That the Officers fhall take the Oaths to the Government, and the Oath of Office; and the Clerk of the Court-Martial fhall be fworn to the due Execution of his Office.

Resolved, That the Adjutant-General, and one Servant, and their Horfes, be exempted from paying Ferriages.

Resolved, That a Bill be prepared for laying a Duty upon Wine, Rum, or other Spirits, imported by Land, to be collected, paid, and accounted for, in the fame Manner as the other Duties.

Resolved, That an humble Addrefs be prepared, to his Majefty, to acknowledge the great Felicity of his Reign, extended to the moft remote of his Subjects, the great Influence of his Wifdom difplaid throughout his whole Adminiftration, very fenfibly felt by all his Subjects, efpecially by thofe of this Colony; to congratulate the good Effect of the Meafures he has fo happily contrived, towards fettling a general and lafting Peace in *Europe*, upon which all our Profperity depends; and the happy Marriage of his Roial Highnefs the Prince of *Wales*, with fo virtuous and accomplifhed a Princefs, who brings with her, a great Addition of Strength to the Proteftant Intereft.

Ordered, That Leave be given to bring in a Bill, *For the better Regulation of the Militia*, according to the Refolutions before mentioned; and that the Committee of Propofitions and Grievances, do prepare and bring in the fame.

Ordered, That it be an Inftitution to the faid Committee, That they have Power to receive a Claufe, to exempt the People, called *Quakers*, from perfonal Appearance at Mufter, by fending a Man in their ftead.

Ordered, That Leave be given to bring in a Bill, *For laying a Duty upon Wine, Rum, or other Spirits, imported by Land*: And that the Committee, to whom it is refer'd, to prepare and draw up a State of the Duty upon Slaves, and the feveral Paiments that have been made, with the Amount thereof, do prepare, and bring in the faid Bill.

Ordered, That an Humble Addrefs be prepared, to his Majefty, according to the Refolution of the Houfe; and that the Committee of Propofitions and Grievances, prepare, and bring in the fame.

Ordered, That it be an Inftitution to the faid Committee, to infert a Claufe, Petitioning His Majefty to order fuch a Number of Arms, as he fhall think proper, towards Arming the Militia.

The report of *Joseph Ball*, *John Steptoe*, and *James Ball*, concerning the Bounds of *Wiccocomico* Parifh, was read.

Resolved, That this Houfe doth approve the faid Report.

Ordered, That the faid Report be enter'd amongft the Records of the General Affembly.

M^r Acrill prefented to the Houfe, according to Order, a Bill, to repeal the Act, Intituled, *An Act for Repealing the Act for the better and more effectual Improving the Staple of Tobacco, and for the better Executions of the Law now in Force againft tending Seconds; and for the further Prevention thereof*; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

Ordered, That the Houfe be adjourned 'till To-morrow Morning, Eleven o'Clock.

Tuesday, Auguft 24, 1736.

M*R. Fitzhugh* prefented to the Houfe, according to Order, a Bill, for amending the Act, intituled, *An Act for the better Direction of Officers in the Sale of Goods, or other Things taken in Execution, or diftrained for Rent*; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

M^r

Mr Corbin presented to the House, according to Order, a Bill, for continuing the Act for destroying Crows and Squirrels in the Northern Neck, and on the Eastern Shore; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr McCarty presented to the House, according to Order, a Bill for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill to repeal the Act, intituled, An Act, for repealing the Act for the better and more effectual improving the Staple of Tobacco; and for the better Execution of the Laws now in Force against tending Seconds; and for the further Prevention thereof, was read the second Time.

Ordered, That a Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Randolph,
Mr Conway,
Mr Acrill,

Mr Willis,
Mr Corbin, and
Mr Blair.

Ordered, That a Message be sent to the Council, to desire them to inform this House, what they have done upon the Bill, intituled, an Act for repealing the Act, intituled, An Act for amending the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs; and Two other Acts, to amend and explain, and for continuing, and further amending that Act: And that Mr Willis, Mr Fitzhugh, and Mr Acrill, go up with the Message.

A Petition of sundry Inhabitants of the Town of Hampton, and County of Elizabeth-City, was presented to the House; setting forth, That great Numbers of idle and vagrant People come to the said Town; and others reside therein, who are suspected to subsist chiefly by dealing with Servants and Slaves: And praying that a Law be made, to empower the Justices of the Peace of the said County, to erect a Work-house in the said County, for the Reception and Employment of such Persons.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

Mr Robinson, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, the Propositions from the Counties of Hanover, and Goochland, for the Division of the said County of Hanover, and erecting the Upper Part of the same, together with Part of the said County of Goochland, into a new County; and were come to a Resolution thereupon; which he read in his Place: And afterwards delivered it in at the Table, where it was again read.

And after a Debate, and the Question being put thereupon, was agreed to by the House, as follows:

Resolved, That the further Consideration of the said Propositions, be deferred 'til the next Session of Assembly.

Mr Conway, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration, the Complaint of Mr Peter Bowdoin, to them referred, and agreed upon the following Report; which he read in his Place; and afterwards delivered in at the Table, viz.

That it appears to the Committee, That the Papers said to be wrote and published by Thomas Carson, doth contain scandalous Reflections upon the said Mr Bowdoin: That the said Carson, Nine or Ten Days next before the Beginning of this Session of Assembly, being in Company with divers others in the County of Northampton, did say, That there was a Commission issued for a Gentleman of that County, and did repeat the Substance of what is contained in the said Paper, without mentioning Mr Bowdoin's Name, or saying, the Commission was to him; but some of the Company understood it to be Mr Bowdoin: But that it doth not appear, That the said Carson

was

was the Author of the said Writing, or the Publiſher thereof, in any other Manner, than by talking of the Contents of it, as aforeſaid: And were come to a Reſolution thereupon.

Ordered, That the ſaid Report do lie on the Table, to be peruſed by the Members of the Houſe.

A Petition of the Maior, Recorder, Aldermen, and Commonalty of the City of *Williamsburg*, was preſented to the Houſe; ſetting Forth, That by an Act of Affembly made in the Fourth Year of the Reign of the late Queen *Anne*, 220 Acres of Land, are appropriated for building the ſaid City; which Land is wholly laid out into Lots and Streets, and no Land was or is ſet apart for a Common to the ſaid City; the Want whereof, is a great Hardſhip upon the poorer Sort of Inhabitants, having occaſioned many to remove out of the ſaid City, and hindering others from coming to ſettle there: That the ſaid City was incorporated by Letters Patent, bearing Date the Twenty Eighth day of *July* in the Eighth Year of his late Majeſty King *George* the Firſt; and by the ſaid Charter, the Maior, Recorder, and Aldermen, of the ſaid City, have Power to hold a Court of Huſtings, and hold Plea of all Perſonal Actions ariſing within the ſaid City, where the Demand does not exceed Twenty Pounds, or Four Thouſand Pounds of Tobacco: And by an Act of Affembly made in the Ninth Year of his ſaid late Majeſty, the Jurisdiction of the ſaid Court is enlarged; notwithstanding which, the ſaid Court have not yet a Jurisdiction extenſive enough, for the Eaſe and Security of the Inhabitants of the ſaid City, and preferring the Peace and good Government thereof. That the Proſperity and Improvement of the ſaid City will be of general Uſe and Benefit to the Country; and the appropriating a convenient Parcel of Land adjacent to the ſaid City, for a Common to the ſame, which the Inhabitants are not able to purchaſe of themſelves, will tend greatly to the Advantage and Improvement thereof: And praying, that Leave may be given to bring in a Bill, for enlarging the Jurisdiction of the ſaid Court of Huſtings; to oblige Apprentices and Servants in the ſaid City to ſerve out the Time for which they ſhall be bound, or contract for; and that a ſmall Sum of Money may be given them out of the Treafury, to purchaſe a Tract of Land, for a Common to the ſaid City.

Ordered, That the ſaid Petition do lie on the Table, to be peruſed by the Members of the Houſe.

A Petition of the Inhabitants of *James-City*, whoſe Names are thereunto ſubſcribed, was preſented to the Houſe and read; ſetting forth, That by the Act made at the laſt Seſſion of Affembly, for the better Support of the College of *William and Mary*, in *Virginia*, the Preſident, Maſters, Scholars, and Students of the ſaid College, and all the domeſtick Servants belonging to the ſame, are exempted from being liſted as Tithables, and from paying Public, County, and Pariſh Levies, for ever: That by Pretext of ſuch Exemption, the ſaid Preſident and Maſters claim, and the Court and Veſtry allow them to be exempted from the Paiment of thoſe Levies, not only for themſelves and the domeſtick Servants aforeſaid, but for their other Servants in the ſaid County, not being Domeſtics, belonging to the College; which the Petitioners conceive, was never intended by the ſaid Act: That the ſaid County is but ſmall, with reſpect to the Number of Tithables; and by reaſon of the ſaid Exemption, and the Manner in which it has been allowed, it has been leſſened between Thirty and Forty Tithables; and praying, that for the future, the ſaid County and Pariſh, be reimbursed by the Public, ſo much Tobacco as the ſaid Levies ſhall amount to: And that to diſcover the ſame, the Preſident, Maſters, Scholars, and Students of the ſaid College, and the Domeſtick Servants, belonging to the ſame, that by Law would be Tithables, if the ſaid Exemption had not been granted, be annually liſted with the Tithables.

And the Queſtion being put, that the ſaid Petition be referred to a Committee?

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Reſolved, That this Houſe will, To-morrow, reſolve itſelf into a Committee of the whole Houſe, to conſider of Heads of a Bill, for better *Regulating and Collecting Officers Fees*.

A

A Bill to destroy Crows and Squirrels, throughout the Colony of Virginia, on the South side of the River Rappahannock, was read the first Time.

Ordered, That the Bill be read a second Time.

A Bill for continuing the Act, for destroying Crows and Squirrels, in the Northern Neck, and on the Eastern Shore, was read the second Time, and a Blank in the Bill fill'd up at the Table.

Ordered, That the Bill be Ingroffed.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, August 25, 1736.

Ordered,

THAT Mr Fleming have Leave to be absent from the Service of the House 'till Monday next.

Ordered, That Mr Moscoe, have Leave to go Home upon an extraordinary Occasion.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken, by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgefs, was admitted to his Place in the House.

A Petition of the Ordinary-Keepers, in the Town of York, was presented to the House and read, representing the great Diminution of their Profits, occasioned by the Retailing of Rum, and strong Liquors, in that Town, by Persons who mix Water with those Liquors, and sell them to Servants and Slaves: And praying the Consideration of the House therein.

Ordered, That the said Petition, be referred to the Consideration of the Committee of Propositions and Grievances, That they do examine the Matter thereof; and report the same as it shall appear [to] them, with their Opinion thereupon, to the House.

A Message from the Council, by Mr Robertson, That they have had under their Consideration a Bill sent up to them from this House, intituled, *An Act for Repealing the Act, Intituled, an Act for amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs;* and Two other Acts, *to amend and explain, and for continuing, and further amending that Act:* And having read the same twice, upon the Question put, for a Third Reading,

It passed in the Negative.

The House, according to Order, resolved itself into a Committee of the whole House, to consider of Heads of Bills, *For better Regulating and Collecting certain Officers Fees;* and after some Time spent therein, Mr Speaker resum'd the Chair, and Mr Corbin reported from the Committee, That they had come to several Resolutions thereupon, which he read in his Place, and afterwards delivered in at the Table, where they were again twice read, and agreed to, by the House, as follows:

Resolved, That the Fees, as they now stand, shall be reduc'd to more General Heads, to include the same Services, to prevent Mistakes in Overcharging, in a Multitude of Articles.

Resolved, That the Fees payable in a Petition Cause, be settled at 50 lb. of Tobacco.

Resolved, That the Penalty for overcharging Fees, be annex'd to every particular Article.

Resolved, That for the same Services for which a Fee is allowed in the General Court, a Fee shall be allowed to the County Court Clerks, in Proportion.

Ordered, That a Bill be prepared, *for better Regulating and Collecting certain Officers Fees*, according to the Act now in Force, and the Resolutions of the House: And that the Committee of Propositions and Grievances, do prepare, and bring in the same.

Mr

Mr Conway, from the Committee of Privileges and Elections, inform'd the House, that upon the Petition of *Mr Daniel Hornby*, complaining of an undue Election and Return of *Mr William Fantleroy*, to serve as a Burgess in this present General Assembly, for the County of *Richmond*: The Committee came to a Resolution, which was agreed to by the House, That the Petitioner, and the fitting Member, should be at Liberty to examine their Witnesses before the Sheriff of the said County, as to the subject Matter of the said Petition; and did accordingly order the said Sheriff to attend at the Court-house, to take the said Examinations; which he had not done, in Contempt of the said Order, as appears by his Return thereon, indorsed in these Words: 'In Obedience to the within Order to me directed, I have summoned the Evidences; but no Petition being produced, which I was referred to, I could not proceed to examine the Evidence.

'August 20, 1736.

Witness *Thomas Barber*, Sher. *Richmond County*.'

Resolved, That the said *Thomas Barber*, in refusing to take the said Examinations, is guilty of a Disobedience to, and a Contempt of, the said Order, and a Breach of the Privileges of this House.

Ordered, That the said *Thomas Barber* be sent for in Custody of the Serjeant at Arms, to answer for his said Disobedience and Contempt, at the Bar of the House.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven o'Clock.

Thursday, August 26, 1736.

A Petition of *Joshua Davis*, was presented to the House, and read; setting forth, That some Time ago, one *Francis Griffin* was Committed to the Prison of the County of *Stafford*, for Felony, and being there, was charged in Execution, at the Suit of *Hugh French*, for 1702 lb. of Tobacco, *John Lee*, Gent. being then Sheriff, and the Petitioner Under-Sheriff of the said County: That the Prison, at the Time of the Commitment of the said *Francis Griffin*, was very strong, and sufficient to hold any Prisoner, unless assisted from without: Nevertheless, the said *Francis Griffin*, by the Assistance of Persons unknown, broke the Door of the said Prison, which was well secured with Locks and Iron Bars, and escaped; whereupon the said *Hugh French* brought an Action against the said *John Lee*, and recovered the said 1702 lb. of Tobacco; and the said *Lee*, in one other Action, recovered the same of the Petitioner: That the said Prison being strong and sufficient, the Petitioner can have no Remedy against the Justices of the said County; and by Payment of the said Tobacco, and other Misfortunes, the Petitioner and his Family were reduced to great Want and Necessity; and praying the Consideration of the House therein, and such Relief as the House shall think reasonable.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That *Mr Allen* be added to the Committee of Privileges and Elections, and to the Committee of Propositions and Grievances.

Mr Robinson, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, the Petition of *Mr Edwin Thacker*, and other Freeholders, and Inhabitants of the Upper Part of *Christ-Church Parish*, in the County of *Middlesex*, to them referred; praying a Division of the said Parish, into Two Parishes; and had heard as well the Petitioners, by their Counsel, upon the Matter of the said Petition, as *Mr Matthew Kemp*, who appeared in Opposition to the same, in Behalf of himself, and others, Freeholders, and other House-keepers of the said Parish; and had come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read.

And

And after a Debate, the Question was put, and agreed to by the House, as follows:
Resolved, That the said Petition be rejected.

A Message from the Council, by Mr *Robertson*:

That they have passed a Bill, intituled, *An Act for the greater Ease and Encouragement of Sheriffs*; to which they desir'd the Concurrence of this House.

Mr *Corbin*, from the Committee for Courts of Justice, reported, That they had had under their Consideration, the Petition of the Minister and Vestrymen of the Parish of *Warwick*, in the County of *Warwick*, to them referred; and had examined the Allegations thereof; and were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to by the House,

Ordered, That it be an Instruction to the said Committee, to whom it is referred, to prepare and bring in a Bill, to empower the Vestry-men of the Parish of *St. John*, in the County of *King William*, to sell Two separate Pieces of Glebe Land in the said Parish, to enable them to purchase a better and more convenient Glebe, in Lieu thereof: And that they have Power to receive a Clause to empower the Vestry-men of the said Parish of *Warwick*, to sell Two such Pieces of Land, for the same Purpose.

A Petition of Mr *John Tarply*, was presented to the House, and read; praying, that the Days for holding Courts in the Counties of *Northumberland* and *Lancaster*, may be altered.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

An ingrossed Bill from the Council, intituled, *An Act for the greater Ease and Encouragement of Sheriffs*, was read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That Mr *Macon* have Leave to be absent from the Service of the House, 'til *Monday* next.

Ordered, That Mr *Holman* have Leave to go Home upon an extraordinary Occasion.

Ordered, That Mr *Aylett* have Leave to be absent from the Service of the House, 'til *Monday* next.

A Petition of *Patrick Spence*, the Proprietor of the Public Warehouse at *Nominy*, in the County of *Westmoreland*, was presented to the House, and read; setting forth, that he has built Two new Houses there, by Order of the County Court, for the Reception and Weighing of Tobacco, and keeping the Weights and Scales; and praying, that an additional Rent may be allowed him.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of the Justices of *Surry* County, was presented to the House, and read; setting forth, That Three Warehouses were built at *Grey's Creek*, at the Expence of the said County, which were accidentally burnt, whereby they have been obliged to build others in the Room of them; which has been a great Charge to the Inhabitants of that County, and praying an Allowance to be made them in the Public Levy.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That Mr *Berkeley* have Leave to be absent from the Service of the House, 'til *Monday* next.

Ordered, That it be an Instruction to the Committee for Public Claims, to deduct the Allowances settled by Law for Convenience.

A Motion was made, that the second Resolution of the Committee of Propositions and Grievances, upon the several Propositions relating to the Tobacco Law, might be considered; and the same was read, and agreed to by the House, as follows:

Resolved,

Resolved, That the Act intituled, *An Act for amending the Staple of Tobacco; and preventing Frauds in his Majesty's Customs*, be farther amended.

Resolved, That this House will, To-morrow resolve itself into a Committee of the whole House, to consider of Amendments to the said Act.

Mr *Conway*, from the Committee of Privileges and Elections reported, That they had had under their Consideration, the Petition of Mr *William Harwood*, to them referred, complaining of an undue Election and Return of Mr *Thomas Haynes*, to serve as a Burgess in this present General Assembly, for the County of *Warwick*; and had heard, as well the Petitioner, as the fitting Member, by their Counsel, and examined divers Witnesses on both Sides, upon the Matter of the Complaint; and had come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to by the House, as follows:

Resolved, That Mr *Thomas Haynes* is duly elected and returned a Burgess to serve in this present General Assembly, for the County of *Warwick*.

Mr *Conway* also reported, from the said Committee, That they had likewise had under their Consideration, the Petition of Mr *John Martin*, to them also referred, complaining of an undue Election and Return of Mr *Jonathan Gibson*, to serve as a Burgess in this present General Assembly, for the County of *Caroline*; and had heard, as well the Petitioner, as the fitting Member, by their Counsel, and examined divers Witnesses on both Sides, upon the Matter of the Complaint: Whereupon, it appears to the Committee, That a greater Number of Freeholders of the said County, did vote at the Election, for Mr *Gibson*, the fitting Member, than for Mr *Martin*, the Petitioner: That the Manner of the Election was very disorderly, the People having drank too much strong Liquor on the Day of Election, before, and during the Time of taking the Poll. But that it doth not appear, that Mr *Gibson* was the Occasion of it, or any Ways misbehaved himself, as a Candidate. That one *Thomas Roy*, an Inspector in that County, solicited the People who brought Tobacco to his Inspection, to vote for the said *Gibson*, and against the Petitioner; and threatened them, who were in the Petitioner's Interest, that he would burn their Tobacco, if they voted against the said *Gibson*, and for the Petitioner: And that the said *Roy*, did force back one *Thomas Harrison*, who was in the Court-house, going to vote for the Petitioner, and Mr *Fleming*, and treated him with strong Liquor; and having by much Importunity prevailed with him to promise not to give his Vote for the Petitioner as he intended, he swore him to vote for the said *Gibson*, and against the Petitioner. That one *William Burdet*, then, and for some Time before, Under-Sheriff of that County, used his Endeavour to influence the People to vote against the Petitioner: That upon the Day of Election, before the Election came on, he demanded Quit-Rents of one *John Davis*, telling him he was a *Martin's Man*, and that he would distrain, if he did not pay his Quit-Rents immediately; but that the said *Davis* voted for the Petitioner, notwithstanding the said *Burdet's* Threatening: Therefore, upon the whole Matter, the Committee had come to several Resolutions; which he read in his Place; and afterwards delivered in at the Table, where it was again read.

Resolved, That Mr *Gibson* be heard in his Place, against the said Report, and then withdraw.

And Mr *Gibson* was heard in his Place accordingly, and then withdrew: And after a Debate, the said Resolutions, upon the Question severally put, were agreed to by the House, as follows:

Resolved, That that Freedom which ought to be maintained in all Elections, hath been greatly invaded, by *Thomas Roy*, an Inspector, and *William Burdet*, late Under-Sheriff of the said County.

Resolved, That Mr *Jonathan Gibson* is not duly elected and returned a Burgess, to serve in this present General Assembly, for the County of *Caroline*.

Resolved, That the said *Thomas Roy*, by soliciting the Freeholders of the County of *Caroline*, to vote against Mr *John Martin*, and for Mr *Gibson*; and threatening them to
burn

burn their Tobacco, if they did not vote accordingly, forcing back one *Thomas Harrison*, who was in the Court-house, going to vote for the said *Martin*, and *M^r Fleming*, treating him with strong Liquors, diffuading him from voting for the said *Martin*, as he intended; and then fwearng him to vote for the said *Gibson*, and against the said *Martin*, is guilty of a great Misdemeanor, and Breach of the Privilege of this House.

Resolved, That *William Burdet*, by threatening one *John Davis*, a Freeholder of the said County, on the Day of the said Election, before the Election came on, and telling him, he was a *Martin's* Man, and that he would disfranchise, if he did not pay his Quit-Rents immediately, is also guilty of a great Misdemeanor, and Breach of the Privilege of this House.

Ordered, That the said *John Roy* be sent for, in Custody of the Serjeant at Arms, to answer for his Misdemeanor, and Breach of Privilege, at the Bar of the House.

Ordered, That the said *William Burdet* be also sent for, in Custody of the Serjeant at Arms, to answer for his said Misdemeanor, and Breach of Privilege, at the Bar of the House.

Ordered, That an Address be made to the Governor, to order a new Writ to issue, for Electing a new Burgesses to serve in this present General Assembly, for the County of *Caroline*, in the Room of *M^r Jonathan Gibson*, who is not duly elected to serve for the said County: And that *M^r Randolph*, *M^r Willis*, and *M^r Acrill*, do attend the Governor with the said Address.

Ordered, That *M^r Turner* have Leave to be absent from the Service of the House, 'til *Monday* next.

The Report from the Committee of Privileges and Elections, upon the Complaint of *M^r Peter Bowdoin*, was read.

Ordered, That the Matter of the said Complaint be re-committed to the said Committee.

A Motion being made, the Question was put, That Leave be given to bring in a Bill, *For laying a Duty upon Convicts; to be paid by the Buyers?*

Resolved in the Affirmative.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that *M^r Corbin*, *M^r Curtis*, *M^r Lyde*, and *M^r Fitzhugh*, do prepare, and bring in the same.

Ordered, That *M^r McCarty* have Leave to be absent from the Service of the House, 'til *Monday* next.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, August 27, 1736.

M*R. Randolph* reported from the Committee, to whom the Bill, to repeal the Act, intituled, *An Act for repealing the Act, for the better and more effectual improving the Staple of Tobacco; and for the better Execution of the Laws now in Force, against tending Seconds; and for the further Prevention thereof*; was committed: That they had made an Amendment to the Title, and several Amendments to the Body of the Bill; which he read in his Place: And afterwards delivered the Bill, with the Amendments, in at the Table, where the said Amendments were read; and with Amendments to some of them, upon the Question severally put, agreed to by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Petition of *Drury Stith*, was presented to the House, and read; setting forth, That he was lately Sheriff of the County of *Charles-City*, and during his Sherifalty, one *Samuel Mead* was committed to his Custody, upon mesne Process, in an Action commenced by *Benjamin Harrison*, Gent. who made his Escape, thro' the Insufficiency of the County Goal: Whereupon, for want of the defendant's Appearance, a Judgment was confirm'd against him and the Petitioner, for upwards of 20 l. and Cofts; which your Petitioner afterwards procured to be reversed in the General Court: That then the said

saïd *Benjamin Harrison* prosecuted an Action upon the Cafe, against the Petitioner, and recovered his full Debt and Coſts; and afterwards the Petitioner brought his Information against the Juſtices of the ſaïd County, to oblige them, according to Law, as he was adviſed, to contribute their Proportion of the Charges and Expence he had been at, in defending himſelf againſt the ſaïd Suits; in which he likewiſe miſcarried: So that the Petitioner has ſuffered upwards of Seventy Pounds, and is much impoverished thereby; and praying the Conſideration of the Houſe, in the Premises, and ſuch Relief as to them ſhall ſeem meet.

Ordered, That the ſaïd Petition be referred to the Conſideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the ſame, as it ſhall appear to them, with their Opinion thereupon, to the Houſe.

Ordered, That Mr *Lyde* have Leave to be abſent from the Service of the Houſe, 'til *Monday* next.

A Petition of *William Andrews*, was preſented to the Houſe, and read; praying, that the Annual Rent of *Guilford* Warehouse may be augmented:

And the Queſtion being put, That the ſaïd Petition be referred to the Conſideration of a Committee,

It paſſed in the Negative.

Resolved, That the ſaïd Petition be rejected.

A Petition of the Freeholders of the Iſland of *James-Town*, in the County of *James-City*, was preſented to the Houſe, and read; ſetting forth, That the Road leading into the ſaïd Iſland, and to the Public Ferry over *James River*, to *Swan's Point*, is ſo bad, at a Place called *Sandy Bay*, occaſioned by the frequent Tides that Flow over the ſaïd Road, that People cannot paſs without Difficulty, and ſome Danger. And the Petitioners being but few in Number, are not able to make the ſaïd Road paſſable, with Eaſe and Security, without the Aſſiſtance of the Public: And praying the Conſideration of the Houſe therein, and ſuch Relief as they ſhall think fit.

And the Queſtion being put, That the ſaïd Petition be referred to the Conſideration of a Committee?

It paſſed in the Negative.

Resolved, That the ſaïd Petition be rejected.

Ordered, That Mr *Daniel Hornby* have Leave to withdraw his Petition, complaining of an undue Election and Return of Mr *William Fantleroy*, to ſerve as a Burgeſs in this preſent General Aſſembly, for the County of *Richmond*.

Ordered, That the Committee of Privileges and Elections be diſcharged from proceeding further upon the ſaïd Petition.

Mr Speaker informed the Houſe, That he being a Candidate at the late Election of Burgeſſes for the County of *York*, had been informed, that *Francis Heyward*, then Sheriff of the ſaïd County, ſome little Time before the Election, had made ſeveral Leaſes of ſmall Parcels of Land, of little or no Value, on Purpoſe to qualify Perſons to vote at the ſaïd Election; taxed the ſaïd *Heyward* with it, before the Poll began; telling him, that as he was to judge, between the Candidates, who were legal Voters, if he had made ſuch Leaſes, he could not be indifferent, and unprejudic'd, as he ought to be in that Matter: That the ſaïd *Heyward* acknowledged, that he had made ſeveral ſuch Leaſes; and ſaïd the Leſſees ſhould vote, and accordingly admitted them to vote at the ſaïd Election, in Prejudice to the Rights of the lawful Freeholders, and to the evil Example of all others, in the like Caſes.

Ordered, That the ſaïd Complaint be referred to the Conſideration of the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the ſame, as it ſhall appear to them, with their Opinion thereupon, to the Houſe.

Ordered, That the ſaïd *Francis Heyward* be ſent for, in Cuſtody of the Serjeant at Arms, to be examined before the ſaïd Committee, touching the Matter of the ſaïd Complaint.

Ordered,

Ordered, That *Matthew Hubbard*, Clerk of *York County Court*, do attend the said Committee, on such Day as they shall appoint, to be examined before the said Committee; and that he bring with him Extracts from the Records of the said Court, of all the Leafes made by the said *Francis Heyward*, and his Fee Book.

Mr Corbin presented to the House, according to Order, a Bill, to impower the Vestries of the Parish of *St. John*, in the County of *King William*, and of the Parish of *Warwick*, to sell several Parcels of Glebe Land therein mentioned, and to purchase better and more convenient Glebes, in Lieu thereof.

And also, a Bill, *For regulating the Fees and Accounts of Practisers in Physic*; and the same were received, and read the first first Time.

Ordered, That the said Bills be read a second Time.

A Petition of *Mr Francis Willis*, was presented to the House, and read; setting forth, That in Right of his Wife, he is the Proprietor of the Warehouse at *Cabbin-Point*; that she, some Time before their Inter-marriage, built a new Sixty Foot House, by Order of the County Court, for the Reception and Inspection of Tobacco, at her own Expence; which has been used by the Inspectors about Two Years, without any Rent, but what was settled for the former built Houses; and the said new built House will be of no Use, when the Tobacco Law expires: And praying, that the House will take his Case into Consideration, and re-imburse him the Charge of building the said Warehouse.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *John Simmons*, and *William Rookings*, Inspectors at *Grey's Creek* Warehouse, was presented to the House, and read; praying to be allowed, in the Public Levy, for 45 Tobacco Hogheads, 270 lb. of Tobacco, and 7000 Nails, which were lately burnt in the said Warehouse.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, *For settling the Rates of County Ferries*; that they have Power to receive a Clause, for establishing a Ferry from the Town of *Falmouth*, to the Land of *Mr Francis Thornton*, in the County of *Spotsylvania*.

The House, according to Order, resolv'd itself into a Committee of the whole House, to consider of Amendments to the Tobacco Law; and after some Time spent therein, *Mr Speaker* resum'd his Chair: And *Mr Corbin* reported, from the Committee, That they had had under their Consideration, the Matter to them referred; but not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into a Committee of the whole House, to consider further of Amendments to the Tobacco Law.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, August 28, 1736.

THE House, according to Order, resolv'd itself into a Committee of the whole House, to consider of Amendments to the Tobacco Law; and after some Time spent therein, *Mr Speaker* resum'd the Chair: And *Mr Corbin* reported, from the Committee, That they had had under their further Consideration, and gone thro', the Matter to them referred; and were come to several Resolutions thereupon; which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received on *Monday* next.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken, instead of the Oaths of Abjuration and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgess, was admitted to his Place in the House.

Ordered, That Mr *Rafcow* have Leave to be absent from the Service of the House, 'til *Thursday* next.

Ordered, That the House be adjourned 'til *Monday* Morning, Eleven o'Clock.

Monday, August 30, 1736.

THE House was informed, That *Thomas Proffer*, and *Pouncey Anderson*, attended in Custody:

And a letter from *Matthew Anderson*, directed to Mr Speaker, was read, acquainting him, That he the said *Anderson* is confined within the Bounds of *Hanover* Prison, upon Process issued against him, at the Suit of several Persons.

Then the said *Thomas Proffer*, and *Pouncey Anderson*, were brought to the Bar, and Mr Speaker acquainted them with the Cause of their being sent for, and that the House expected Satisfaction therein: And they humbly made their Submission to the House, and pray'd to be excused; assuring the House, that tho' they had justly incurred their Displeasure, they would endeavour to deserve any Favour they should think fit to shew them, by a better Behaviour; and were ordered to withdraw.

Then several Members spoke to the Character of the said *Pouncey Anderson*, as a very orderly, sober Man. And after a Debate, and the Question put,

Ordered, That the said *Thomas Proffer* be discharged out of Custody, paying Fees.

Ordered, That the said *Pouncey Anderson* be discharged out of Custody, without paying Fees.

A Motion being made, after a Debate, the Question was put, That an Address be made to the Governor, to order a new Writ to issue, for Electing of Burgesses to serve in this present General Assembly, for the County of *Hanover*.

Resolved in the Affirmative.

Ordered, That Mr *Conway*, Mr *Willis*, and Mr *Waring*, do attend the Governor with the said Address.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That they had had under their Consideration, the Returns of the several Writs, for Electing a Burgess for the County of *New-Kent*, in the Room of Mr *William Chamberlayne*, deceased; for Electing a Burgess for the County of *Surry*, in the Room of Mr *William Grey*, deceased; and for Electing a Burgess for the County of *Isle of Wight*, in the Room of Mr *Matthew Kinchin*, deceased: And that the said Returns are made in the Form prescribed by Law.

The Treasurer laid his Accounts before the House.

A Motion being made, That Part of the Report from the Committee for Courts of Justice, which relates to the providing Arms for the County of *Brunswick*, was read; as follows:

That the House being acquainted, That Colonel *Spotswood* had not provided Arms for the County of *Brunswick*, according to the Order of the House at the last Session, and his own Engagement. And a Motion being made, to consider that Matter; and a Letter from Colonel *Spotswood* to Mr Attorney-General, upon that Subject, being read: It was *Ordered*, That the Consideration of the said Motion should be deferred 'til the next [Session] of Assembly.

And a Letter from Colonel *Spotswood* to Mr Speaker, was also read.

Resolved, That an Action be commenced and prosecuted against the said Colonel *Spotswood*, to recover the Money in his Hands, appropriated for the buying of Arms for the County of *Brunswick*; unless those Arms be sent in and delivered, before the first of *June* next.

Ordered,

Ordered, That Mr Attorney-General do commence and carry on the said Prosecution.

Mr *Corbin*, according to Order, reported from the Committee of the whole House, to whom it was referred, to consider of Heads of a Bill, for further amending the Tobacco Law, the Resolutions they had directed him to report to the House; which he read in his Place; and afterwards delivered the Resolutions in at the Table, where they were again read; and with an Amendment to one of them, agreed to by the House, as follows:

Resolved, That the Clause in the late Act, prohibiting the buying of Tobacco, before it be inspected, be repealed.

Resolved, That Inspectors for not attending, to receive and inspect, or deliver out Tobacco; or neglecting to take Care of it, after it is brought to the Warehouse, shall be liable to an Action for Damages, by the Party grieved.

Resolved, That the Inspectors shall, at the Court-Day in September, give an Account, to the Court, of all the Tobacco remaining in their Hands, upon Oath, before the same shall be sold.

Resolved, That no Person, that after the 10th Day of November next, shall be an Inspector, shall have Capacity to sit as a Member of the House of Burgesses in the General Assembly, during the Continuance of the Tobacco Law; and no Inspector, during the Time of holding his Office, shall intermeddle in any Manner with any Election, or ask any Freeholder who he votes for, or be present at any Election, under the Penalty of 10 l.

Resolved, That Provision be made, to allow the Inhabitants of *Fleet's Bay*, and on the South Side of *Indian Creek*, to carry their Tobacco by Water to *Indian Creek* Inspection; and the Inhabitants of *Warwicksqueak*, to pass their Tobacco at any Warehouse in the Upper District of *James River*.

Resolved, That the Warehouse established by the Act of the last Session of Assembly, instead of *Shoccoe's*, be repealed, and *Shoccoe's* Warehouse revived; and that the Rent of the said Warehouse be repaid, since the 10th of November, 1735, at the Rate of 40 l. per Annum.

Resolved, That the Warehouse of *Warwicksqueak*, in the County of *Isle of Wight*, be revived; and the Rent settled, at 10 l. per Annum.

Resolved, That a Warehouse be erected on Capt. *Barber's* Land, opposite to *Totaskey* Warehouse, to be under the same Inspection, at 5 l. per Annum Rent.

Resolved, That a Warehouse be erected on *Piscataway* Creek, at *Smith's* Quarter, to be under the same Inspection as *Bowler's*, at 5 l. per Annum Rent.

Resolved, That if the Justices neglect to order the Building of Warehouses where they shall be wanting, upon proper Application to them, they shall be liable to a Penalty.

Resolved, That a Warehouse be built on the lower Side of *Occoquan*, on the Land of *Valentine Peyton*, and to be under the same Inspection as the Warehouse already established, at 5 l. per Annum Rent.

Resolved, That a Warehouse be built on the North Side of *Wiccocomico*, upon the Land of *William Harcom*, and to be under the same Inspection, as the Warehouse already established, at 5 l. per Annum Rent.

Then a Motion was made, and the Question put, That upon Building another House Sixty Foot long, and Twenty Eight Foot Wide, the Rent of *Falmouth* Warehouse shall be raised 10 l. per Annum.

Resolved in the Affirmative.

A Motion was made, and the Question put, That Notes of *Lawrence's* Warehouse shall pass in Payment of Levies and Fees in the County of *Brunswick*.

Resolved in the Affirmative.

Ordered, That a Bill be prepared, according to the said Resolution; and that Mr *Robinson*, Mr *Fitzhugh*, and Mr *Allen*, prepare and bring in the same.

Ordered, That it be an Instruction to the Persons appointed to prepare, and bring in the said Bill; that they have Power to receive a Clause for settling the Allowance for Conveniency, in the County of *Amelia*, at 30 per Cent.

A Bill, intituled, *An Act for continuing the Act, for destroying Crows and Squirrels in the Northern Neck, and on the Eastern Shore*, was read the Third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act, to prevent cutting up Tobacco Suckers*, was read the Third Time.

Resolved, That the Bill do pass.

Ordered, That M^r Conway do carry the Bills to the Council; and desire their Concurrence.

A Bill for amending the Act, intituled, *An Act, for the better Direction of Officers in the Sale of Goods, or other Things taken in Execution, or distrained for Rent*, was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, *To destroy Crows and Squirrels throughout the Colony of Virginia, on the South Side of Rappahannock*, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly of the following Persons: M^r Conway, M^r Fitzhugh, and M^r Price.

A Bill to empower the Vestries of the Parish of St. John, in the County of King William, and of the Parish of Warwick, in the County of Warwick, to sell several Parcels of Glebe Land therein mentioned, and to purchase better and more convenient Glebes, in Lieu thereof, was read the second Time.

Ordered, That the Bill be committed to a Committee: That they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

And a Committee was appointed accordingly, of the following Persons:

M^r Robinson,

M^r Eaton,

M^r Corbin,

M^r Digges, and

M^r Macon,

M^r Buckner.

A Bill, *for regulating the Fees and Accounts of the Practisers in Physic*, was read the second Time.

Ordered, That the Bill be ingrossed.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, August 31, 1736.

MR. Carter presented to the House, according to Order, a Bill, *For the better Preservation of the Breed of Deer in this Colony*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House being informed, That the Sheriff of *Richmond* attended in Custody, he was brought to the Bar; and M^r Speaker reciting the Resolve of the House; and the Order of the Committee of Privileges and Elections made, upon the Petition of M^r Daniel Hornby, complaining of an undue Election and Return of M^r William Fantleroy, to serve as a Burgess in this present General Assembly, for the County of *Richmond*, to take the Examinations of Witneses, and Return of the said Sheriff; for which the House had judged him guilty of Contempt, and a Breach of the Privilege of this House, demanded of him what he had to say in Excuse of himself? To which he answered, that he was govern'd by the Opinion of several Gentlemen, whom he believed to be better acquainted with such Matters than himself; that his Error proceeded from wrong Advice, and not from any wilful Disobedience or Contempt; that he was heartily sorry for the Trouble he had given the House in sending for him, and hop'd to receive a favourable Censure; and was ordered to withdraw.

And after a Debate, and the Question put,

Ordered, That Thomas Barber, Sheriff of the County of *Richmond*, be discharged out of Custody, paying Fees.

M^r

Mr *Robinson*, presented to the House, according to Order, a Bill, *For the better Regulation of the Militia*.

An ingross'd Bill, from the Council, intituled, *An Act for the greater Ease and Encouragement of Sheriffs*, was read the second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

Resolved, That this House do immediately resolve itself into a Committee of the whole House, upon the said Bill.

The House accordingly resolved itself into a Committee of the whole House; and after some Time spent therein, Mr Speaker resum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had had under their Consideration, an ingross'd Bill, from the Council, *For the greater Ease and Encouragement of Sheriffs*; but not having Time to go thro' it, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow, again resolve itself into a Committee of the whole House, to consider further of the said Bill.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That the Committee had had under their further Consideration, the Petition of Mr *Richard Bland*, to them referred, complaining of an undue Election and Return of Mr *Robert Munford*, to serve as a Burgess in this present General Assembly, for the County of *Prince George*: And that an Examination of the Witneses on both Sides, having been directed by the Committee to be taken before the Sheriff of the said County, at the Court-house of that County, on the 23d Instant; it appeared to the Committee, that the said Mr *Munford*, by his Misbehaviour, had obstructed the fair and regular taking thereof; whereby the Committee had not been able hitherto to come to any Resolution upon the Merits of the said Election: But had come to several other Resolutions.

Ordered, That the said Report be taken into Consideration To-morrow.

Ordered, That the House be adjourned 'til To-morrow Morning Eleven o'Clock.

Wednesday, September 1, 1736.

THE several Petitions following, were presented to the House, and read, *viz*.

A Petition of *William Todd*, praying an Allowance for building a new Warehouse, at *Falmouth*: And

Also, a Petition of *Landon Carter*, praying an Allowance for building a new Warehouse at *Indian Creek*.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

A Petition of *Caleb Wilson*, was presented to the House, and read; setting forth, that he went in pursuit of several Slaves, who were out, in Rebellion, as far as the utmost Bounds of *South-Carolina*; and was at great Expence, and sustained considerable Losses in that Expedition; and that he has recovered but a very inconsiderable Reward from the Owners of those Slaves, for that Service: And praying the Consideration of the House therein, and such an Allowance as to the House shall think reasonable.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Report from the Committee of Privileges and Elections, upon the Petition of Mr *Richard Bland*, complaining of an undue Election and Return of Mr *Robert Munford*, to serve as a Burgess in this present General Assembly, for the County of *Prince George*: And the same was read, and the Resolutions of the Committee were twice read: And after a Debate, upon the Question severally put, agreed to by the House, as follows:

Resolved,

Resolved, That Mr *Munford*, for his Misbehaviour, deserves the Cenſure of this Houſe.

Reſolv'd, That Mr *Bland's* Witneſſes, to wit, *Lewis Bobbit*, *Joſhua Pritchett*, Junior, and *Theophilus Field*, who were ſummoned, and fail'd to appear, to be examined before the Sheriff of the ſaid County, be ſent for, in Cuſtody of the Serjeant at Arms, attending this Houſe, to anſwer for their Contempt therein, at the Bar of the Houſe.

Resolved, That ſuch of the ſaid *Bland's* Witneſſes, as were not ſummoned to appear before the ſaid Sheriff, to be examined, be ſummoned to appear to be examined, before the ſaid Committee, *viva Voce*. Then a Motion being made,

Resolved, That Mr *Munford* receive a Reprimand, in his Place, from Mr Speaker, for his ſaid Miſbehaviour.

Then (Mr *Munford* ſtanding in his Place) Mr Speaker ſpoke as follows:

"Mr *Munford*, Your endeavouring to obſtruct the Examination of Witneſſes, "directed by the Authority of this Houſe, upon a Complaint made againſt your own "Election, was an inexcusable Indiscretion; and an Evidence of an unworthy Opinion "you muſt have entertained of the Juſtice of this Houſe: But now you muſt be convinced, that no little Arts and Tergiverſations, no inordinate Paſſion, Violence, or Outrage, can avail or profit any Thing to hinder or diſcourage the Inquiries of this Representative Body of the People: And you and others, will hereafter be ſatisfied, That "no Member of this Houſe can uſe his Privilege for inſulting or maltreating Mankind; "ſince the Diſgrace, which you have now brought upon yourſelf, muſt be the Conſequence. I am ſorry it happens to be my Duty to ſay ſo much to you, upon this Occaſion; but being commanded by the Houſe to reprimand you, I do reprimand you "accordingly."

Mr *Conway*, from the Committee of Privileges and Elections, reported, That they had had under their further Conſideration, the Petition of Mr *William Robinſon*, to them referred, complaining of an undue Election and Return of Mr *Charles Carter*, and Mr *Thomas Turner*, to ſerve as Burgeſſes in this preſent General Aſſembly, for the County of *King George*; and had heard as well the Petitioner, as the fitting Member: Whereupon, it appeared to the Committee, That the Petitioner had not purſued the Reſolutions of the Houſe, of the 14th Inſtant, not having made any Overture to bring down *John Mercer*, or any of the Perſons, who are ſaid to have accepted Leaſes for Life from the ſaid *Mercer*, or from Mr *Charles Carter*, the fitting Member, to entitle them to vote at the Election for the ſaid *Carter*, in order to their being examined, before the Committee, upon that Matter; except only, that the Petitioner took out a Summons for the ſaid *Mercer*, and Three other Perſons, but did not uſe any Means to get them ſummoned: That it likewiſe appeared to the Committee, That the Petitioner had proceeded to examine divers of the Perſons who are ſaid to have accepted Leaſes, as aforeſaid, before Mr *Strother*, expreſſly contrary to the ſaid Reſolutions, which referred the examination of thoſe Perſons to the Committee only; by which, it ſeem'd to the Committee, as tho' the Petitioner only intended to trifle with them, and the Sitting Members, he not having given the Committee any ſatisfactory Reaſons, why he proceeded in ſuch an extraordinary Manner; and having failed to give the fitting Members a Lift of the Voters he objected againſt on their Polls, as he was directed by the Committee, and had agreed to do, when the ſaid Reſolutions were made, the Committee did not think it reaſonable to indulge the Petitioner with further Time, to make out the Allegations of his Petition, altho' he mov'd for it: And that, upon the whole Caſe, the Committee had come to a Reſolution; which he read in his Place: And afterwards delivered in at the Table, where it was again read. And after a Debate, upon the Queſtion put, agreed to by the Houſe, as follows:

Resolved, That the ſaid Petition be rejected.

Mr *Conway* alſo reported, from the ſaid Committee, That they had had under their Conſideration, Mr Speaker's Information and Complaint againſt Mr *Francis Heyward*, late Sheriff of *York*, to them referred, by an Order of the Houſe of the 27th of laſt Month;

and

and had examined the said *Heyward*, upon the Matter thereof, who confessed to the Committee, That some small Time before the last *York* Election, he (being then, as well as at the Time of the Election, Sheriff of *York* County) did execute Nineteen Leafes for Life to so many several Persons, to make them Freeholders, in order to entitle them to vote at that Election; but said, that he did not engage them to vote for any particular Person or Persons: That the Consideration of each Lease was Two Shillings only, and no Rent reserved; that some of those Leafes were wrote by himself, and the rest he caused his Brother to write; and that at the Time of executing them, he expected the Lessees would vote for those Persons whom he should like, at the said Election, otherwise he should not have made the Leafes: But that the Committee had not come to any Resolution upon the Premises; chusing rather to leave the whole Matter, as it appeared to them, to the House, to do therein as they shall judge proper.

Mr *Conway* also acquainted the House, That the Committee had appointed this Day to take the Examination of *Matthew Hubbard*, Clerk of *York* County Court; and had given him Notice thereof, and of the Order of the House: But that the Committee being informed he was sick, and unable to attend, had proceeded to the Examination of Mr *Heyward*, who had been some Days in Custody: That Mr *Heyward* said, he thought he might lawfully make those Leafes; but if he had been mistaken, he hoped he should be pardoned.

Then a Motion was made, that the House would come to a Resolution upon the said Report: And the Question being put,

Resolved, That making Leafes of small and inconsiderable Parcels of Land, in order to create a Right of voting at Elections, for Burgeffes to serve in the General Assembly, is a fraudulent Practice, contrary to Law, and tending to destroy the Rights of the true Freeholders.

Resolved, That the said *Francis Heyward*, in making the said Leafes, has acted corruptly, against Law, and the Duty of his Office.

Ordered, That the said *Francis Heyward* be brought to the Bar, and acquainted with the Resolutions of the House; that he receive a Reprimand from the Chair; and that he be then discharged out of Custody, paying Fees.

Accordingly he was brought to the Bar, and Mr Speaker spoke as follows:

"Mr *Francis Heyward*, The Committee of Privileges and Elections having made 'their Report, upon the Complaint made against you, for male Administration in your 'Office of Sheriff of *York*, in the Execution of the writ for Election of Burgeffes to serve 'in this General Assembly, for that County; this House have come to a Resolution, 'That making Leafes of small and inconsiderable Parcels of Land, in order to create 'a Right of voting at Elections, is a fraudulent Practice, contrary to Law, and tending 'to destroy the Rights of the true Freeholders; and that you, in making such Leafes, 'have acted corruptly, against Law, and the Duty of your Office: You must consider, 'that when any Persons have been judged guilty of Corruption, in the Discharge of any 'Office, by the House of Burgeffes, they have been usually disabled from holding any 'Office of Trust for the future, which would have been a lasting Disgrace upon you: 'But this House taking into Consideration, your Confession and Submission, before 'the Committee, have been so favourable to you, as to command me only to reprimand 'you; and I do reprimand you accordingly. And I do acquaint you, that it is their 'Pleasure, that you be discharged out of Custody, paying Fees."

Ordered, That a Bill be prepared, declaring who shall have a Right to vote at Elections, and to prevent making fraudulent Freeholds; and that the Committee of Privileges and Elections, prepare and bring in the same.

Ordered, That the Clerk of the Secretary's Office do lay before the House, the Returns of the Commissioners that have been made, pursuant to an Act passed at the last Session of Assembly, for the Relief of such Persons as have suffered, or might suffer, by the Loss of the Records of *Nanfemond* County, lately consumed by Fire.

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The Houfe, according to Order, refolv'd itfelf into a Committee of the whole Houfe, further to confider the ingroff'd Bill, from the Council, intituled, *An Aâ, for the greater Eafe and Encouragement of Sheriffs*; and after fome Time fpent therein, M^r Speaker refum'd the Chair: And M^r Corbin reported, from the Committee, That they had gone through the Bill, and made feveral Amendments to it; and he delivered the Bill, with the Amendments, in at the Table, where they were read: And upon the Queftion feverally put, agreed to by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have made feveral Amendments to the Bill, intituled, *An Aâ, for the greater Eafe and Encouragement of Sheriffs*; to which they defire their Concurrence: And that M^r Corbin go up with the Meffage.

A Bill, *for the better Regulation of the Militia*, was read the firft Time.

Ordered, That the Bill be read a fecond Time.

A Bill, intituled, *An Aâ, for amending the Aâ, intituled, An Aâ, for the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or diftrained for Rent*, was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That M^r Fitzhugh do carry the Bill to the Council, and defire their Concurrence.

A Bill, *for the better Prefervation of the Breed of Deer, in this Colony*, was read the fecond Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Perfons:

M^r Carter,
M^r Fitzhugh,
M^r Beverley,

M^r Green,
M^r Booker,
M^r Valentine Peyton, and

M^r Wall.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, September 2, 1736.

M^r R. Robinson, from the Committee of Propofitions and Grievances, reported, That the Committee had had under their Confideration, feveral other Propofitions from feveral Counties, and had agreed upon a Report thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, as follows:

Upon Confideration of the feveral Propofitions from the Counties of *Effex, King William, Caroline, Surry, Orange, and Ifle of Wight*, for a Law to be made for a Stint, as to the Number of Tobacco Plants to be tended: *Resolved*, It is the Opinion of the Committee, That the faid Propofitions are reafonable.

Upon Confideration of a Propofition from *Prince William* County, for a Division of the faid County into Two Counties: *Resolved*, It is the Opinion of the Committee, That the faid County be divided, and made Two diftinct Counties.

And the firft Refolution of the faid Committee, being read a fecond Time, a Debate arofe, and the Queftion being put, That the Houfe do agree to the faid Refolution?

It paffed in the Negative.

Resolved, That the faid feveral Propofitions from the Counties of *Effex, King William, Surry, Orange, and Ifle of Wight*, for a Law to be made for a Stint, as to the Number of Tobacco Plants, be rejected.

Then the other of the faid Refolutions was read; and upon the Queftion put, agreed to by the Houfe, as follows:

Resolved, That the County of *Prince William* be divided, and made Two diftinct Counties.

Ordered,

Ordered, That Leave be given to bring in a Bill, according to the said Resolution; and that *Mr Fitzhugh*, *Mr John Peyton*, and *Mr Valentine Peyton*, prepare and bring in the same.

Ordered, That the Treafurer's Accounts be referred to the Consideration of the Committee, to whom it is referred, to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof; that they do examine the several Articles of the said Accounts; and report the Ballance as it shall appear to them, to the House.

Mr Conway reported, from the Committee, to whom the Bill, *to destroy Crows and Squirrels throughout the Colony of Virginia, on the South Side the River Rappahannock*, was committed; That they had made several Amendments to the Bill; which he read in his Place: And afterwards delivered the Bill, with the Amendments, in at the Table.

Ordered, That the Report do lie on the Table, to be perused by the Members of the House.

A Petition of *John Allen*, Gent. a Member of this House, and *Hannah Allen*, Widow, and Relict of *Joseph Allen*, Gent. deceased, was presented to the House, and read; setting forth, That the said *Joseph Allen* died considerably indebted, and left Issue only one Son, named *William*, an Infant of very tender Years; that the said *John Allen* is Heir Apparent to the said *William*, and the said *Hannah* is Administratrix of the Estate of the said *Joseph Allen*; and that they conceive, it will be for the Advantage of the said Infant, to sell certain Lands and Negros, which were of the said *Joseph Allen*, for Payment of his Debts; and praying the Consideration of the House therein.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that *Mr Acrill*, *Mr Simmons*, and *Mr Eaton*, prepare and bring in the same.

A Petition of *John Quarles*, was presented to the House, and read; setting forth, That at the last Session of Assembly, the Rent of his Warehouses was reduced to *6l. per Annum*, and one Half thereof, is paid to the County, for Two Houses since built at the County's Charge, and the remaining Moiety is not sufficient to keep the Two Houses first built in Repair; and praying the Consideration of the House therein, and such Relief as the House shall think reasonable.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, *for further amending the Act for improving the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; That they have Power to receive a Clause to raise the Rent of *Quarles's Warehouse*, *3 l. per Annum*; to be paid from the 10th of November, 1734.

A Petition of *Thomas Gascoigne*, *Francis Stockley*, and *Anne Read*, Administratrix of *Henry Read*, deceased, was presented to the House; setting forth, That they the said *Thomas Gascoigne*, *Francis Stockley*, and the said *Henry Read*, were summoned, and attended as Witnessees, upon an Indictment against one *Thomas Hargreaves*, for an Assault, Battery, and Maim, whereof he was convicted; that they sued out Process upon their Orders for Attendance, against the said *Hargreaves*, who was returned not to be found; so that they never could obtain any Satisfaction for it; and praying the Consideration of the House therein.

And the Question being put, That the said Petition be brought to the Table?

It passed in the Negative.

A Motion being made,

Ordered, That Leave be given to bring in a Bill, *to prevent Waste and Dilapidations upon Glebe-Lands*: And that *Mr Macon*, *Mr Robinson*, and *Mr Fitzhugh*, prepare and bring in the same.

A Petition of *Emanuel Wills*, praying to be allowed to keep a Public Ferry over *James River*, from *Old Point* to *Cocket's*. And

Also, a Petition of *Richard Hordy*, praying to be allowed to keep a Public Ferry over the said River, from *Cocket's* to *Old Point*, were presented to the House, and read.

And after a Debate, the Question being put,

Resolved, That the said Petitions be rejected.

A Petition of *Richard Littlepage*, was presented to the Houfe; fetting forth, That at the laft Seffion of Affembly, the Public Warehouse at *Chamberlayne's*, was repealed, and a Public Warehouse appointed on the Petitioner's Land; where, it was faid, all neceffary Houfes were ready built, and the Rent fettled at 15 *l. per Annum*: Whereas, in Truth, there were no Houfes then built, fit to receive and fecure Tobacco; that he has fince built Three Houfes, and fet up feveral Prizes; and praying the Confideration of the Houfe therein.

And after a Debate, the Queftion being put, That the faid Petition be brought to the Table?

It paffed in the Negative.

Ordered, That no Petition for raifing the Rents of any Public Warehouse, be received after *Monday* next.

A Petition of *Mr Charles Carter*, a Member of this Houfe, was presented to the Houfe, and read; fetting forth, That there not being fufficient Room in the Public Warehouse at *Falmouth*, for the Reception of Tobacco, he has allowed the Infpectors the Ufe of his Houfes for Four Years laft paft; for which he has received no Satisfaction; and praying the Confideration of the Houfe therein.

Ordered, That the Confideration of the faid Petition, fo far as relates to the finding Warehouse Room, before the Aft of the laft Seffion of Affembly, *For continuing, and further amending the Aft, for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*, be referred to the Confideration of the Committee for Public Claims: That they do examine the Allegations of the faid Petition; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

A Bill, *for the better Regulation of the Militia*, was read the fecond Time, and feveral Amendments were propofed; which, upon the Queftion feverally put, were difagreed to by the Houfe, and other Amendments were made, and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingroffed.

A Meffage from the Council, by *Mr Robertfon*.

That they have made feveral Amendments to the Bill, intituled, *An Aft, to prevent cutting up Tobacco Suckers*, to which they defire the Concurrence of this Houfe; and that they have difagreed to fome of the Amendments propofed by this Houfe, to the Bill, intituled, *An Aft, for the greater Eafe and Encouragement of Sheriffs*; and agreed to other of thofe Amendments, with an Amendment to one of them; and defire that this Houfe will pafs the Bill, with the Amendments, to which they have agreed.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, September 3, 1736.

MR. *Conway* prefented to the Houfe, according to Order, a Bill, *to declare who fhall have a Right to vote in the Election of Burgeffes to ferve in the General Affembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at fuch Elections*; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

The Houfe proceeded to the Confideration of the Amendments propofed by the Council, to the Bill, intituled, *An Aft, to prevent cutting up Tobacco Suckers*; and the Amendments were read, and the firft of them was difagreed to, and the reft agreed to, by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have agreed to the Amendments by them propofed to the faid Bill, except the Amendment to the Title, to which the Houfe have difagreed; and that *Mr Conway* go up with the Meffage.

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The House also proceeded to the Consideration of the Amendments proposed by the Council, to the Amendments made by this House, to the Bill, intituled, *An Act for the greater Ease and Encouragement of Sheriffs*; and the Amendments were read, and agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendments by them proposed, to the Amendments made by this House, to the said Bill; and that Mr *Conway* go up with the Message.

Ordered, That Mr *Boush* have Leave to be absent from the Service of this House, 'til this Day Seven-night.

Mr *Robinson*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several other Propositions and Grievances from several Counties: And a Petition of the Ordinary-keepers in York Town, and had come to divers Resolutions thereupon; which he read in his Place; and afterwards delivered the Report in at the Table, where the Resolutions were again twice read: And upon the Question severally put, agreed to by the House, as follows:

Resolved, That the Proposition from divers of the Upper Inhabitants of *King and Queen* County, for annexing that Part of the said County, to the County of *Caroline*, be rejected.

Upon a Proposition from the County of *Prince William*, for altering the Days for holding Courts in that County, and the County of *Orange*,

Resolved, That the said Proposition is reasonable.

Upon a Grievance from *Amelia* County, complaining of divers Hardships and Oppressions exercised on the People, by Land Surveyors:

Resolved, That a Bill be prepared for the better Regulation of the Office of Surveyors of Land, directing them in their Duty, and settling their Fees.

Upon a Grievance from divers of the Inhabitants of *Raleigh* Parish, in the County of *Amelia*, complaining, that the Vestry of *Bristol* Parish, after the passing the Act, whereby the said Parish of *Raleigh*, was taken from that Parish, and before the Commencement of the said Act, did levy upon the Inhabitants of the said Parish of *Raleigh*, Twelve Pounds of Tobacco *per* Poll, towards building a new Church in the said Parish of *Bristol*:

Resolved, That the Proceedings of the Vestry of *Bristol* Parish, in that Matter, were very unreasonable; and that the Inhabitants of *Raleigh* Parish, ought to be relieved against the same.

Upon a Proposition from the County of *Accomack*, about the Method of paying for the Passage of their Burgesses, to and from the General Assembly,

Resolved, That the Law be altered, as to that Matter, and that each Burgess from the said County, and from the County of *Northampton*, instead of the Sheriffs of those Counties finding them a Vessel and Hands, at the Charge of the said Counties respectively, be allowed Five Hundred Pounds of Tobacco, to be levied by their County, when the Burgesses receive their Allowances in Tobacco, or Fifty Shillings, when they receive them in Money, for their Passage to and from the Assembly.

Upon a Petition from the Ordinary-keepers in York Town, in the County of *York*, to prevent the other Inhabitants of the said Town, Merchants only excepted, from Retailing strong Liquors in small Quantities, without Licence:

Resolved, That a Bill be prepared for that Purpose.

Ordered, That Leave be given to bring in one or more Bills, according to the said Resolutions: And that the Committee of Propositions and Grievances, prepare and bring in such Bill or Bills.

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause or Clauses, to provide for the Relief of the Inhabitants of that Part of the Parish of *Bristol*, which is now taken into the Parish of *Dale*, in the County of *Henrico*, in the same Manner, as the Inhabitants of the Parish of *Raleigh* are to be relieved.

Ordered,

Ordered, That it be also an Instruction to the said Committee, That they have Power to receive a Clause, to oblige Surveiors to receive Entries without Rights.

Mr Acrill mov'd for Leave to bring in a Bill, to amend the Law in Relation to the Trial of Slaves, committed for Capital Crimes.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that *Mr Acrill* prepare and bring in the same.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, *For settling the Rates of County Ferries*; that they have Power to receive a Clause or Clauses, for appointing a Ferry at *Norman's Foard*, and the great Fork of *Sherendo*, on both Sides thereof.

A Bill, intituled, *An Act, for the better Regulation of the Militia*, was read the Third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Robinson* do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act, for regulating the Fees and Accounts of the Practisers in Phific*, was read the Third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Corbin* do carry the Bill to the Council, and desire their Concurrence.

A Motion being made,

Ordered, That Leave be given to bring in a Bill, to declare, *That Convicts are entitled by Law, to the same Dues, as other imported Servants are entitled to, by the Act made in the Fourth Year of the Reign of the late Queen Anne*, intituled, *An Act, concerning Servants and Slaves*; and that *Mr Fitzhugh*, and *Mr Aylett*, prepare and bring in the same.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, September 4, 1736.

Ordered,

THAT *Mr Scott* have Leave to be absent from the Service of the House, all the next Week.

Ordered, That the Report of the Commissioners made, pursuant to the Act of the last Session of Assembly, *For the Relief of such Persons as had suffered, or might suffer, by the Loss of the Records of Nansemond County, lately consumed by fire*, be referred to the Consideration of a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Reddick,

Mr Elligood,

Mr Grey,

Mr Crafford, and

Mr Simmons.

Ordered, That Leave be given to bring in a Bill, *for the Relief of those Sufferers*; and that the said Committee prepare and bring in the same.

Mr Fitzhugh presented to the House, according to Order, a Bill, *For laying a Duty upon Convicts, to be paid by the Buyers.*

A Bill, *for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts*, was read the second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

Resolved, That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to consider the said Bill.

Ordered, That *Mr Allen* have Leave to be absent from the Service of the House, 'til *Wednesday* next.

A Petition of *William Banks*, was presented to the House, and read; setting forth, That at the Last Session of Assembly, the Rent of his Warehouse was reduced to 10 l.

per

per Annum; that another Houfe has been fince built at the Charge of the County, for which they receive Part of the faid Rent; and the Remainder is hardly fufficient to keep the other Houfes in Repair; and praying the Confideration of the Houfe in the Premifes, and fuch Relief, as they fhall think reafonable.

Ordered, That the faid Petition be referred to the Confideration of the Committee for Public Claims: That they do examine the Matter thereof: and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

Mr *Robinfon* prefented to the Houfe, according to Order, a Bill, *For Dividing Prince William County*; and the fame was received, and read the firft Time.

Refolved, That the Bill be rejected.

Ordered, That Mr *Green* have Leave to be abfent from the Service of the Houfe, for the Recovery of his Health.

Ordered, That Mr *Randolph* have Leave to be abfent from the Service of the Houfe, 'til *Tuefday* next.

Mr *Robinfon*, from the Committee of Propofitions and Grievances, reported, That the Committee had had under their Confideration, the Petition of the Freeholders and Inhabitants of the Parifh of *Warwick*, in the County of *Warwick*, to them referred; praying, that the prefent Veftry may be diffolved, and that they may be enabled to chufe a new Veftry, according to Law: And had come to a Refolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to by the Houfe.

Ordered, That Leave be given to bring in a Bill, for diffolving the prefent Veftry of the Parifh of *Warwick*, in the County of *Warwick*; and that the Committee of Propofitions and Grievances, prepare and bring in the fame.

Ordered, That the Houfe be adjourned 'til *Monday* Morning, Eleven o'Clock.

Monday, September 6, 1736.

AN ingroffed Bill, from the Council, intituled, *An Act, for the greater Eafe and Encouragement of Sherifs*, with the Amendments, was read the third Time.

Refolved, That the Bill do pafs.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have paffed the faid Bill, with the Amendments agreed to by them, and this Houfe; and that Mr *Robinfon* go up with the Meffage.

A Motion was made, for Leave to bring in a Bill, to repeal the Act, *for altering the Place for holding Courts in the County of Spotfylvania*; and a Debate arofe thereupon.

Refolved, That the faid Debate be adjourned, 'til *Thursday* next.

A Bill, *for laying a Duty upon Convicts, to be paid by the Buyers*, was read the firft Time.

Ordered, That the Bill be read a fecond Time.

A Meffage from the Council, by Mr *Robertfon*.

That they have agreed to the Bill, intituled, *An Act to prevent the cutting up Tobacco Suckers*, with the Amendments; in which this Houfe have concurred.

The Petition of the Inhabitants of the Town of *Hampton*, and County of *Elizabeth-City*, was read.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the faid Petition; and that Mr *Westwood*, Mr *Rafcow*, and Mr *Haynes*, prepare and bring in the fame.

The Petition of Mr *John Tarpley*, was read.

Ordered, That it be an Inftitution to the Committee, to whom it is referred, to prepare and bring in a Bill, *for altering the Days for holding Courts in the Counties of Prince William, and Orange*: That they have Power to receive a Clause, to alter the Days for holding Courts in the Counties of *Northumberland*, and *Lancafter*.

A Bill, to declare who shall have a right to vote in the Election of Burgeffes to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections, was read the second Time.

Ordered, That the Bill be committed to the Committee of the whole House, to whom the Bill, for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts, is committed.

A Bill, for laying a Duty upon Convicts, to be paid by the Buyers, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Fitzhugh,

Mr Curtis,

Mr Muscoe,

Mr McCarty, and

Mr Rascoe.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, September 7, 1736.

Ordered,

THAT Mr Berkeley have Leave to be absent from the Service of the House, 'til Friday next.

Mr Speaker informed the House, that he had received a Letter from *Theophilus Field*, acquainting him, That he is in such an ill State of Health, that he cannot possibly travel; and also, a Certificate from a Justice of the Peace, confirming the Truth thereof.

A Bill, for laying a Duty upon Liquors imported by Land; and better securing the Duty upon Slaves; and for other Purposes therein mentioned; was read the first Time.

Ordered, That the Bill be read a second Time.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Bill, for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts: And also, the Bill, to declare who shall have a Right to vote in the Election of Burgeffes to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections; and after some Time spent therein, Mr Speaker resumed the Chair: And Mr Corbin reported, from the Committee, That they had had under their Consideration, and gone thro' the said Bills; but had not drawn up their Report, and therefore the Committee had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow, again resolve itself into a Committee of the whole House, to consider of the Report to be made upon the said Bills.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, September 8, 1736.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgefs, was admitted to his Place in the House.

A Message from the Council, by Mr Robertson.

That they have made an Amendment to the Bill, intituled, *An Act, for regulating the Fees and Accounts of the Practisers in Physic*; to which, they desire the Concurrence of this House.

The

The House being inform'd, That *Lewis Bobbit*, and *Joshua Pritchett*, attended in Custody, they were brought to the Bar; and Mr Speaker declared to them, the Cause of their being sent for; and that the House expected satisfaction therein: To which they answered, That they were ignorant in Cases of this Nature, but believing themselves to be lawful Freeholders, they thought, that Matter might have been as well examined into, as if they had personally attended.

And the House not being satisfied with their excuse, they were again twice called in, and examined, whether or no, they had been advised not to attend to be examined before the Sheriff, touching their Freeholds; or if any Promise had been made, to indemnify them for not appearing, or to defray the Expence of their being taken into Custody: But they denied, that they were so advised, or that any such Promise had been made them; and were ordered to withdraw.

And a Motion being made,

Ordered, That the said *Lewis Bobbit*, and *Joshua Pritchett*, receive a Reprimand from Mr Speaker; that they remain in Custody, 'til they shall be examined before the Committee of Privileges and Elections, touching their Right to vote, and be then discharged out of Custody, paying Fees.

Accordingly, they were brought to the Bar, and Mr Speaker spoke as follows:

"*Lewis Bobbit*, and *Joshua Pritchett*, the House have considered your Excuses, "which they look upon to be very frivolous, since your pretended Ignorance could proceed from nothing, but a Contempt of the Power and Authority of this House; but "considering your Poverty, they have commanded me to reprimand you for your Offence, "which is very great; and I do reprimand you accordingly: And I am to acquaint you, "that it is the Pleasure of the House, that you remain in Custody, until you shall be examined before the Committee of Privileges and Elections; and that you be then "discharged out of Custody, paying Fees."

The House was informed, That Mr *Matthew Hubbard*, Clerk of the County Court of *York*, attended to be examined before the Committee of Privileges and Elections, pursuant to an Order of the House.

Ordered, That the said *Matthew Hubbard* be discharged from further Attendance.

A Bill, for *laying a Duty upon Liquors imported by Land; and better securing the Duty upon Slaves; and for other Purposes therein mentioned*; was read the second Time, and several Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

The House, according to Order, resolved itself into a Committee of the whole House, upon the Bill, for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts: And the Bill, to declare who shall have a Right to vote in the Election of Burgesses to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections; and after some Time spent therein, Mr Speaker resumed the Chair: And Mr *Corbin* reported, from the Committee, That they had gone thro' the said Bills, and had made several Amendments to the same; which he read in his Place; and afterwards delivered the Bills, with the Amendments, in at the Table, where the Amendments were again severally twice read; and upon the Question severally put, agreed to by the House.

Ordered, That the Bills, with the Amendments, be ingrossed.

Ordered, That the Title of the Bill, for the further amending the Laws now in Force, for the more speedy and easy Recovery of small Debts, be *An Act for preventing Persons contracting small Debts, to remove their Effects out of the County where they reside; and for allowing a Lawyer's Fee, in some Cases, upon Recoveries had upon Petitions*.

Mr *Aylett* presented to the House, according to Order, a Bill, declaring *Convict Servants to be entitled to Freedom Dues*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The

The Houfe proceeded to the Confideration of the Amendments propofed by the Council, to the Bill, intituled, *An Act, for regulating the Fees and Accounts of the Practifers in Phific*; and the fame was read, and with an Amendment, agreed to by the Houfe.

Ordered, That a Meffage be fent to the Council, to acquaint them, That this Houfe have agreed to the Amendment propofed by them to the faid Bill, with an Amendment, to which they defire their Concurrence; and that Mr *Corbin* go up with the Meffage.

A Motion being made, That Leave be given to bring in a Bill, to oblige the County of *Surry*, to join with the county of *Brunfwick*, in building a Bridge over *Nottoway*; and the County of *Ifle of Wight*, to join with the faid County of *Brunfwick*, in building a Bridge over *Maherring River*.

Ordered, That the Confideration of the faid Motion be put off 'til To-morrow.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, September 9, 1736.

Ordered,

THAT Mr *Simmons*, and Mr *Lyde*, be added to the Committee of Propofitions and Grievances.

Mr *Robinfon* prefented to the Houfe, according to Order, a Bill, for appointing certain new Public Ferries; fettling the Rates of feveral County Ferries; and altering feveral Court Days: And alfo,

A Bill for erecting the Counties of _____ and _____ and granting certain Encouragements to the Inhabitants thereof: And alfo,

A Bill, for diffolving the prefent Veftry of the Parifh of *Warwick*, in the County of *Warwick*, and for a new Election of Veftry-men for the faid Parifh; and the fame were received, and feverally read the firft Time.

Ordered, That the Bills be read a fecond Time.

Mr *Robinfon* alfo prefented to the Houfe, according to Order, a Bill, for altering the Method of Paiment of the Rewards for killing Wolves; and the fame was likewise received, and read the firft Time.

And after a Debate, the Queftion was put, That the Bill be read a fecond Time.

It paffed in the Negative.

Refolved, That the Bill be rejected.

Then a Motion was made, That Leave be given to bring in a Bill, for repealing the Laws now in Force, for giving Rewards for killing Wolves: And the Queftion put thereupon.

It paffed in the Negative.

Ordered, That it be an Inftitution to the Committee, to whom it is referred, to prepare and bring in a Bill, for the Relief of the Inhabitants of the Parifh of *Raleigh*, in the County of *Amelia*; that they have Power to receive a Clause to oblige the County of *Spotsylvania*, to pay to the County of *Orange*, their Proportion of 14341 lbs. of Tobacco, levied for the faid County of *Spotsylvania*, before that County was divided, for Wolves Heads; which has been apply'd to the Ufe of the faid County of *Spotsylvania* only, and the Parifhes within the fame.

Mr *Conway* mov'd for Leave, to prefent a Bill, to prevent the taking away of Lands, againft the Will of the Proprietors, for building Water-Mills, and for other Purpofes therein mentioned; and the fame was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

A Petition of Mr *Robert Fleming*, a Member of this Houfe, was prefented to the Houfe, and read; fetting forth, That the Petitioner being Sheriff of the County of *Caroline*, one *Johna Rycroft* was arrefted, at the Suit of one *John Holden*; and for want of Security for his Appearance, imprifoned in the Goal of the faid County; that the
faid

faid *Rycroft*, with the Affiftance of fome Perfons without, as the Petitioner apprehends, burnt the Prifon Door, and efaped; and that Judgment has fince been given againft the faid *Rycroft*, and the Petitioner, by Reason thereof, for Twenty One Pounds Eighteen Shillings and a Farthing, befides Cofts, amounting to 504 *lbs.* Tobacco; which the Petitioner has been obliged to pay; and praying the Confideration of the Houfe therein, and fuch Relief, as to them fhall feem meet.

Ordered, That the faid Petition be referred to the Confideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

The Petition of the Maior, Recorder, Aldermen, and Commonalty, of the City of *Williamsburg*, was read.

Ordered, That it be an Inftruction to the Committee, to whom it is referred, to prepare and bring in a Bill, *for incorporating the Town of Norfolk*, That they have Power to receive a Claufe, to enlarge the Jurifdiction of the Court of Huftings in the City of *Williamsburg*; and to give them the fame Jurifdiction within the faid City, as the County Courts have in their refpective Counties.

Ordered, That Leave be given to bring in a Bill, *for obliging Perfons to ferve the Time they fhall be bound for by their Indentures, tho' fuch Perfons be under the Age of Twenty One Years, at the time of fuch binding*: And that *Mr Acrill*, and *Mr Blair*, prepare and bring in the fame. Then a Debate arofe, and the Queftion was put, That the Treafurer be enabled to lay out a Sum, not exceeding One Hundred and Twenty Pounds, to purchafe a Common for the City of *Williamsburg*?

It paffed in the Negative.

The Houfe refum'd the adjourned Debate, upon the Motion for Leave to bring in a Bill, to repeal the Act, *for altering the Place for holding Courts in the County of Spotfylvania*.

Ordered, That Leave be given to bring in a Bill, according to the faid Motion; and that *Mr Conway*, and *Mr Johnson*, prepare and bring in the fame.

A Bill, intituled, *An Act, for laying a Duty upon Liquors imported by Land; and better fecuring the Duty upon Slaves; and for other Purpofes therein mentioned*; was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That *Mr Acrill* do carry the Bill to the Council; and defire their Concurrence.

A Bill, intituled, *An Act for preventing Perfons contracting fmall Debts, to remove their Effects out of the County where they refide: And for allowing a Lawyer's Fee, in fome Cafes, upon Recoveries had upon Petitions*; was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That *Mr Randolph* do carry the Bill to the Council; and defire their Concurrence.

A Bill, intituled, *An Act, declaring Convict Servants to be entitled to Freedom Dues*, was read the fecond Time.

Ordered, That the Bill be ingroffed.

Ordered, That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, September 10, 1736.

MR. *Conway* prefented to the Houfe, according to Order, a Bill, to repeal the Act intituled, *An Act, for altering the Place for holding Courts in the County of Spotfylvania*; and the fame was received, and read the firft Time.

Resolved, That the Bill be read a fecond Time.

A Bill, intituled, *An Act, declaring who shall have a Right to vote in the Election of Burgeffes to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Conway* do carry the Bill to the Council; and desire their Concurrence.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, several Petitions of the Proprietors of several Public Warehouses, who have built new Houses since the last Session of Assembly; and a Petition of Mr *Charles Carter*, for an Allowance for providing Warehouse Room for the Inspectors at *Falmouth*, to them referred, and had agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table, where it was again read.

Ordered, That the Report be committed to the said Committee.

A Bill, intituled, *An Act, declaring Convict Servants to be entitled to Freedom Dues*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Willis* do carry the Bill to the Council; and desire their Concurrence.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had, according to Order, examined the Accounts of the Inspectors at *Gray's Creek*; and the Certificates from the County Court of *Surry*; and had sworn the Inspectors, to their said Accounts; by which, it appeared to the Committee, that 67050 *lbs.* of Crop Tobacco, and 21254 *lbs.* of inspected Transfer Tobacco, for which they had given Notes, and 5569 *lbs.* of uninspected Tobacco, was burnt in the said Warehouse: And that the Committee desired the Direction of the House, whether the said Tobacco should be levied in the Public Levy, or be paid for in Money next Year, and at what Rates.

Resolved, That the owners of the said Crop Tobacco, be paid for the same out of the Public Money in the Hands of the Treasurer, at the Rate of Two Pence *per Pound*; and the Owners of the said Transfer Tobacco, as well inspected as uninspected, at the Rate of 15 *s. per Cent.*

Ordered, That Leave be given to bring in a Bill, according to the said Resolutions; and that the Committee for Public Claims, do prepare and bring in the same.

A Message from the Council, by Mr *Robertson*.

That they have agreed to the Amendment proposed by this House, to their Amendment to the Bill, intituled, *An Act, for regulating the Fees and Accounts of the Practisers in Physic*: And that they have made several Amendments to the Bill, intituled, *An Act, for the better Regulation of the Militia*; to which they desire the Concurrence of this House.

The House proceeded to the Consideration of the Motion for Leave to bring in a Bill, to oblige the County of *Surry*, to join with the County of *Brunswick*, in building a Bridge over *Nottoway*; and the County of *Isle of Wight*, to join with the said County of *Brunswick*, in building a Bridge over *Maherring River*.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *Harrison*, Mr *Wall*, Mr *Embry*, and Mr *Randolph*, prepare and bring in the same.

A Bill, *to prevent the taking away Lands, against the Will of the Proprietors, for building Water-Mills; and for other Purposes therein mentioned*; was read the second Time.

Ordered, That the Bill be committed to the Committee for Courts of Justice.

A Bill, *for dissolving the present Vestry of the Parish of Warwick, in the County of Warwick, and for a new Election of Vestry-men for the said Parish*; was read the second Time; and several Amendments were made, and a Blank in the Bill filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill, *for erecting the Counties of _____ and _____ and granting certain Encouragements to the Inhabitants thereof*, was read the second Time.

And

And several Amendments were proposed to be made to the Bill: And after a Debate, the Question was put, That the Bill be committed for those Amendments. The House divided. The Noes go forth.

Noes, 22.

Yeas, 22.

Mr Speaker, No.

And so, It passed in the Negative.

Ordered, That the Bill be ingrossed: And that the Title of the Bill, be, An Act, for erecting Two new Counties; and granting certain Encouragements to the Inhabitants thereof.

A Bill, for appointing certain new Ferries; settling the Rates of several County Ferries; and altering several Court Days, was read the second Time; and several Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, September 11, 1736.

MR. *Harrison* presented to the House, according to Order, a Bill, *for building a Bridge over Nottoway River; and the same was received, and read the first Time.*

Ordered, That the Bill be read a second Time.

Mr *Acrill* presented to the House, according to Order, a Bill, *to amend the Law, in Relation to the Trial of Slaves committed for Capital Crimes; and the same was received, and read the first Time.*

Ordered, That the Bill be read a second Time.

Mr *McCarty* moved for Leave to bring in a Bill, for laying out a Piece of Ground, at a Place called *Bray's Church*, in the County of *King George*, for a Town.

Ordered, That the said Motion be referred to the Consideration of the next Session of Assembly.

Upon a Motion, the House was called over, and the Names of some of the absent Members were again called over, and Excuses made for such of them as were absent without the Leave of the House, which were allowed.

Resolved, That all the rest of the absent Members be excused.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for the better Regulation of the Militia; and the Amendments were twice read; and the House agreed to some of them, with several Amendments; and to others, without Amendment; and disagreed to one, and made an Amendment instead of it; and the rest were disagreed to, by the House.*

*Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to some of the Amendments by them proposed to the said Bill, with several Amendments; and to others, without Amendment; and disagreed to one, and made an Amendment instead of it; and to all the rest of their Amendments the House have disagreed; and desire they will pass the Bill, with the Amendments agreed to, by this House: And that Mr *Carter* go up with the Message.*

Ordered, That the House be adjourned 'til Monday Morning, Eleven o'Clock.

Monday, September 13, 1736.

MR. *Conway* presented to the House, according to Order, a Bill, *For Confirming and better Securing the Titles to Lands, in the Northern Neck, held under the Right Honourable Thomas Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland: And the same was received, and read the first Time.*

Ordered, That the Bill be read a second Time.

Two

Two Members, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgess, were admitted to their Places in the House.

Mr *Robinson* presented to the House, according to Order, a Bill *to dock the Entail of certain Lands, whereof Lewis Burwell, Esq; is seized; and for settling other Lands, of greater Value, to the same Uses*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Simmons* presented to the House, according to Order, a Bill, *for selling certain Lands, with a Water Mill, and Slaves, of the Estate of Joseph Allen, Gent. deceased; for the Payment of his Debts*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act for appointing certain new Public Ferries; settling the Rates of several County Ferries; and altering several Court Days*; was read the third Time: And several Amendments were made to the Bill at the Table.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act for Dissolving the present Vestry of the Parish of Warwick; and for a new Election of Vestrymen, for the said Parish*, was read the third Time; and the Blank in the Bill fill'd up at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Robinson* do carry the Bills to the Council; and desire their Concurrence.

A Bill, *to repeal the Act, intituled, An Act for altering the Place for holding Courts, in the County of Spotylvania*; was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, *for building a Bridge over Nottoway River*; was read the second Time.

Ordered, That the Bill be ingrossed.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, the several Petitions of *John Aylett, Jonathan Gibson, Patrick Spence, Francis Willis, William Todd, Landon Carter, and William Banks*, praying Allowances for Warehouses, not provided for at the last Session of Assembly; and a Petition of Mr *Charles Carter*, to them refer'd; and had come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table, w[h]ere they were again twice read; and, with Amendments to Two of them, agreed to by the House, as follows:

Resolved, That an addition of 6 l. *per Annum*, be made to the Rent of *Aylett's* Warehouse, in Consideration of another House built by him; and that he be allowed by the Public for one Year's Arrear, to *November, 1735*.

Resolved, That an Addition of 5 l. *per Annum*, be made to the Rent at *Gibson's*, in Consideration of another House hired of Doctor *Turner*, with the Approbation of the Court; and that there be allowed to the Proprietor, 5 l. by the Public, for one Year's Arrear, to *November, 1735*.

Resolved, That an Addition of 6 l. *per Annum* be made to the Rent at *Nominy*, in Consideration of a House built by *Patrick Spence*, since the last Session of Assembly.

Resolved, That an Addition of 7 l. *per Annum*, be made to the Rent at *Cabbin Point*, in Consideration of a House built there by the Proprietor; and that the Petitioner, *Francis Willis*, be allowed 7 l. by the Public, for one Year's Arrear, to *November, 1735*.

Resolved, That an Addition of 4 l. *per Annum*, be made to the Rent at *Falmouth*, in Consideration of another House built there by *William Todd*, the Proprietor; and that he be allowed 4 l. by the Public, for one Year's Arrear, to *November, 1735*.

Resolved, That an Addition of 3 l. 10 s. *per Annum*, be made to the Rent at *Indian Creek*, in Consideration of a House built there by *Landen Carter*, the Proprietor; and that he be allowed 3 l. 10 s. by the Public, for one Year's Arrear, to *November, 1735*.

Resolved,

Resolved, That 2 *l.* 10 *s.* *per Annum*, be added to the Rent at *Mantapike*, in Consideration of another House built there by the Justices, who therefore take that Sum from the Proprietor of the former built Houses, out of the 10 *l.* *per Annum* settled for them at the last Session of Assembly; and that one Year's Rent, to the Tenth of November, 1735, be allowed him by the Public.

Resolved, That Thirty Pounds be paid to the said *Charles Carter*, for the Use of his House at *Falmouth*, viz. 15 *l.* for the first Year, ending November, 1734; and 15 *l.* for the next Year; and that the same be paid him by the Public.

Ordered, That it be an Instruction to the said Committee to make the said several Allowances, according to the said Resolutions, in the Book of Claims.

Ordered, That it be an Instruction to the Persons appointed to prepare and bring in a Bill, upon the Resolutions of the House, for the further Amendment of the Tobacco Law; that they have Power to receive a Clause or Clauses for raising the Rents of the said Public Warehouses, according to the said Resolutions.

Mr *Blair* also reported, from the said Committee, That the Committee had also had under their Consideration, the Petition of the Justices of *Surry County*, in Relation to the Public Warehouses at *Gray's Creek*, which were lately burnt; and had come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read: And after a Debate, the Question was put thereupon, and agreed to by the House, as follows:

Resolved, That the said County be paid Thirty Seven Pounds Ten Shillings, out of the Public Money, in Consideration of that Loss.

Ordered, That it be an Instruction to the said Committee, to make the said Allowance in the Book of Claims.

Mr *Blair* also reported, from the said Committee, That the Committee had had under their Consideration, the several Petitions of *Caleb Wilson*, of *Willoughby Newton*, and *Samuel Eskridge*, Inspectors at *Yeocomoco Warehouse*; and agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table, where the same was again read, as follows:

The Committee have examined the Allegations of the Petition of the said *Caleb Wilson*, which they find to be true; and thereupon have come to the following Resolution.

Resolved, It is the Opinion of the Committee, that the said *Caleb Wilson* be allowed Twenty Five Pounds, for his Trouble and Losses; and that the same be paid by the Public.

The Committee have also enquired into the Allegations of the Petition of the said *Willoughby Newton*, and *Samuel Eskridge*, which they do not find sufficiently proved to them; and if so much was lost, it was thro' the Negligence of the Inspectors; whereupon, the Committee had come to a Resolution to reject the said Petition.

And the first of the said Resolutions being read a second Time, a Debate arose thereupon: And the Question was put, That the House do agree with the Committee in the said Resolution?

It passed in the Negative.

Resolved, That the said Petition be rejected.

Then the other of the said Resolutions was also read; and a Motion was made, and the Question put, That the Matter of the Petition of the said *Willoughby Newton*, and *Samuel Eskridge*, be recommitted?

It passed in the Negative.

Then the Question was put, That the House do agree with the said Committee in the said last mentioned Resolution?

Resolved in the Affirmative.

Resolved, That the Petition of the said *Willoughby Newton*, and *Samuel Eskridge*, be rejected.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday,

Tuesday, September 14, 1736.

MR. Reddick presented to the House, according to Order, a Bill, *for the Relief of certain Persons who were Sufferers in the Loss of the Records of the County of Nanfemond*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Corbin, from the Committee, to whom the Bill, *to prevent the taking away of Lands against the Will of the Proprietors, for building Water-Mills*, was committed, reported, That they had made several Amendments to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table, where the Amendments were again read; and the first Amendment being read a second Time, an Amendment was proposed to it: And the Question put, That the House do agree to the said first Amendment, with the Amendment proposed?

It passed in the Negative.

Then a Debate arose upon the other Parts of the Bill, and Mr McCarty, standing up in his Place, to speak against the Bill, said, God forbid he should entertain an Opinion, That any Gentleman should vote in this House with a View to his own Interest; but by any thing that he could observe, he could not forbear thinking, that some who had voted for the Bill, must have had some such View: Whereupon, he was interrupted by Mr Speaker, who told him, that no such Expressions ought to be used: To which he answered, That he did not know when he should learn to speak as became him in the House.

Then a Motion was made, and the Question put, That Mr McCarty do, in his Place, explain himself?

Resolved in the Affirmative.

Then he stood up in his Place, and said, He had no Design to reflect upon the House, or any Member in it; but that he did not know how to acknowledge that he was sorry for any Thing that he had said, because he was not sensible that he had been guilty of any Offence; but if the House thought him in the wrong, he was sorry for it.

Upon which some Members mov'd, that he might be taken into Custody; and Others for excusing him: And the Question was put, That Mr McCarty has made a sufficient Acknowledgment of his Offence?

Resolved in the Affirmative.

Then the Debate proceeded, and the Question was put, That the said Bill be ingross'd?

It passed in the Negative.

Resolved, That the Bill be rejected.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test; and taken the Oath of a Burgess, was admitted to his Place in the House.

Mr Conway inform'd the House, That the Committee of Privileges and Elections, had appointed Yesterday for the Examination of Witnesses, upon the Petition of Mr Richard Bland, complaining of an undue Election and Return of Mr Robert Munford, to serve as a Burgess in this present General Assembly, for the County of Prince George: That Mr Bland's Counsel attended the said Committee, and mov'd for further Time, 'til Thursday or Friday next, to bring down the Witnesses; and a Letter from Mr Bland, was produc'd, suggesting several Reasons for allowing further Time for the said Examination: That the Majority of the Committee were of Opinion, to put off the said Examination to a further Day; but that they had not come to any Resolution thereupon; and desired the Direction of the House in that Matter.

And

And after a Debate, the Question was put, That M^r *Bland* be allow'd further Time for a Hearing before the said Committee, upon the subject Matter of his said Petition?

It pass'd in the Negative.

Then a Motion was made, and the Question put, That M^r *Bland* have Leave to withdraw his said Petition?

Resolved in the Affirmative.

Ordered, That the Committee of Privileges and Elections be discharged from proceeding further thereupon.

A Bill, intituled, *An Act for Erecting Two new Counties; and granting certain Encouragements to the Inhabitants thereof*; was read the Third Time: And after a Debate, the Question was put, That the Bill do pass?

It pass'd in the Negative.

Resolved, That the Bill be rejected.

A Message from the Council, by M^r *Robertson*:

That they have agreed to all the Amendments propos'd by this House, to their Amendments to the Bill, *For the better Regulation of the Militia*, except one, to which they have disagreed; and that they insist on some of the Amendments to the said Bill, and recede from others; and desire the House will pass the Bill, with the Amendments which they insist on.

M^r *Robinson* presented to the House, according to Order, a Bill, *For the better Regulation of the Office of Surveiors of Land; and directing them in their Duty*: And also,

A Bill, *For better Regulating and Collecting certain Officers Fees; and other Purposes therein mentioned*; and the same were received, and severally read the first Time.

Ordered, That the Bills be read the second Time.

A Bill, intituled, *An Act for Building a Bridge over Nottoway River*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That M^r *Acrill* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, to repeal the Act, intituled, An Act for altering the Place for holding Courts in the County of Spotfylvania*, was read the third Time.

And a Clause in the Act, thereby to be repealed, was read: And after a Debate, the Question was put, That the Bill do pass?

The House divided. The Yeas go forth.

Yeas, 26. Noes, 26.

The Speaker, No.

And so, It pass'd in the Negative.

Resolved, That the Bill be rejected.

A Bill, *to dock the Entail of certain Lands, whereof Lewis Burwell, Esq; is seised; and for settling other Lands, of greater Value, to the same Uses*; was read the second Time.

Ordered, That the Bill be committed to a Committee: That they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House: And it is referred to M^r *Robinson*, and the Members for the Counties of *King William, York, James-City, and Isle of Wight*.

A Bill, *For Selling certain Lands, with a Water-Mill, and Slaves, of the Estate of Joseph Allen, Gent. deceased, for the Payment of his Debts*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it; and to M^r *Macon, M^r Doran, and M^r Marrable*: That they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Wednesday,

Wednesday, September 15, 1736.

Ordered,

THAT Mr *Crafford* have Leave to be absent from the Service of the House 'til Tuesday next.

Upon a Motion, the House was called over, and the Names of the absent Members were again called over, and Excuses made for some of them, who were absent without the Leave of the House; which were allowed.

Ordered, That Mr *Daniel Pugh*, Mr *William Rascow*, and Mr *Edward Digges*, be taken into Custody of the Serjeant at Arms, for not attending their Duty in the Service of the House.

Mr *Robinson* presented to the House, according to Order, a Bill, for *further amending the Act for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, to *amend the Law in Relation to the Trial of Slaves committed for Capital Crimes*, was read the second Time.

Ordered, That the Bill be ingross'd.

A Bill, for *Confirming and better Securing the Titles to Lands in the Northern Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland*; was read the second Time.

Ordered, That the Bill be ingross'd.

A Bill, *For the Relief of certain Persons, who were Sufferers in the Loss of the Records of the County of Nanfemond*; was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, for *the better regulating and collecting certain Officers Fees; and for other Purposes therein mentioned*, was read the second Time; and an Amendment was propos'd; which, upon the Question put, was disagreed to, and several other Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Carter*, from the Committee, to whom the Treasurer's Accounts were referred, reported, That they had had the said Accounts under their Consideration; and had agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table.

A Motion was made, that it be an Instruction to the Committee for Public Claims, to deduct the Charge of Inspection of the Tobacco burnt in the Public Warehouse at Gray's Creek, out of the Money, to be paid to the Owners thereof: And the Question put thereupon?

It passed in the Negative.

A Bill, for *the better Regulation of the Office of Surveiors of Land, and directing them in their Duty*, was read the second Time.

Ordered, That the Bill be ingrossed.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had examined and considered all the Public Claims which had been laid before them this Session; and agreed upon a Report; which they had entered in a Book; and he delivered the Book in at the Table.

Mr *Robinson* presented to the House, according to Order, a Bill, for *the Relief of divers of the Inhabitants of the Parishes of Raleigh, and Dale; and the Inhabitants of the County of Orange*: And also,

A Bill, to *prevent the Retailing of strong Liquors in the Town of York, in small Quantities*; and the same were received, and severally read the first Time.

Ordered, That the Bills be read a second Time.

A Message from the Council, by Mr *Robertson*.

That they have made several Amendments to the Bill, intituled, *An Act, to declare who shall have a Right to vote in the Election of Burgeffes to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections.*

Also to the Bill, intituled, *An Act, for laying a Duty upon Liquors imported by Land; and better securing the Duty upon Slaves; and for other Purposes therein mentioned.*

And that they have also made an Amendment to the Bill, intituled, *An Act, for preventing Persons contracting small Debts, to remove their Effects out of the County where they reside; and for allowing a Lawyer's Fee, in some Cases, upon Recoveries had upon Petitions:* To which they desire the Concurrence of this House.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, *for altering the Method of providing for the Passage of the Eastern Shore Burgeffes over the Bay;* that they have Power to receive a Clause or Clauses, for lessening the Payments to Witnессes attending at County Courts; and to make Provision for the Payment of Witnессes summoned to attend the Governor and Council.

The House proceeded to the Consideration of the Message from the Council, in Relation to their Amendments to the Bill, intituled, *An Act, for the better Regulation of the Militia;* and agreed to several Amendments, which they before had disagreed to, and insift on their Disagreements to Five only.

Resolved, That a Conference be desired with the Council, upon the subject Matter of the said Amendments.

Ordered, That the following Members be appointed to manage the said Conference.

Mr *Robinson,*

Mr *Acrill*

Mr *Corbin,*

Mr *Waring,*

Mr *Conway,*

Mr *Allen,* and

Mr *Randolph,*

Mr *Burwell.*

And that a Message be sent to the Council, to desire a Conference; and to acquaint them, that the House have appointed Eight of their Members to meet such of their Members as they shall appoint: And that Mr *Robinson* go up with the Message.

Ordered, That the said Managers do draw up Heads of the Reasons why the House cannot agree to the said Amendments to be delivered at the Conference; and report the same to the House, To-morrow.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Thursday, September 16, 1736.

THE House being informed, that Mr *Edward Digges*, and Mr *Daniel Pugh*, attended in Custody,

Ordered, That they be discharged out of Custody, paying Fees.

Mr *Robinson* reported, That the Persons appointed, had, according to Order, drawn up the Heads of the Reasons, why the House cannot agree to the Amendments insifted on, by the Council, to the Bill, *for the better Regulation of the Militia,* to which this House insift on their Disagreement; which he read in his Place; and afterwards delivered in at the Table, where they were again read, and with an Amendment, agreed to by the House, as follows, *viz.*

A better Regulation of the Militia, being one of the principal occasions mentioned in the Governor's Speech, for calling this General Assembly, the House of Burgeffes prepared and passed a Bill, which, in their Opinion, was better adapted to the Circumstances of the People of this Colony, than any Laws heretofore made upon the same Subject, particularly in the Provision that is now made for arming the poorer Sort; which never could be effected by any of the Methods before enacted for that Purpose.

The

The Policy of former Laws has been, to lay high Fines upon all Persons lifted, failing to appear at Musters armed and accoutred, in the Manner therein directed; yet, after Thirty Years Experience, the Militia generally throughout the Country, remain in the same defenceless State: For tho' many Fines have been levied in some Counties, for not appearing with Arms, they have not been applied to any good Purpose, and only disabled the poor Delinquent the more to furnish himself. But since the passing of the last Act, *for regulating the Militia*, in the Year 1723, most of the Officers have totally neglected the training their Men by Musters, and to hold Court-Martials, merely out of Compassion to the Poor, who remain still unarmed, and to avoid imposing the high Fines which must otherwise have been levied upon them.

Therefore, this House of Burgeesses have, in the Bill now depending, raised a Tax of Six Pence *per Poll* upon Negroes, for Two Years, to be applied to the providing of Arms; which they conceive to be the most equal Way, and the first Step, that has ever been taken, towards removing the principal Mischiefs that has hindered and discouraged the improving the Militia of this Country for so many Years. In the other Parts of the Bill, they have, in great Measure, followed the Plan of former Laws; and only avoided such Clauses, as they know by Experience to have been found unequal, and to have given great Occasion to Complaints, as to the Manner of their Execution; making a new Provision for sending out Patrollers to visit Negro Quarters, and obliging People to go armed to Church at certain Seasons; the want of which, has been long complained of.

When the Bill came under the Consideration of the Council, they made Amendments, which were many and various; to several of which, the Burgeesses agreed with some Amendments, and disagreed to others; and the Council have receded from some of them, which were of little or no Moment, but insist on the rest. And the Burgeesses have since agreed to some of them, not because they have changed their Opinions, or thought them more expedient, or likely to make the Bill better; but to draw the Matter in Dispute, to a narrow Compass.

And now the points in Difference, are reduced to the following Particulars:

First, The Bill provides, that the Arms to be furnished by the Tax, shall be distributed by the Courts-Martial. The Council's Amendment, lodges that Power solely in the County-Lieutenants, or Chief Commanding Officers of the Militia: To which, the Burgeesses cannot agree, because it may be a Matter of Difficulty, to be well informed of the properest Persons to whom those Arms ought to be distributed; and many Lieutenants, not residing in the Counties under their Command, must be strangers to the Circumstances of most of the People, or at least, cannot be so well acquainted with them, as the Field Officers and Captains met together, who must needs know every Body in their Lists.

Secondly, the Bill provides, that Patrollers shall be exempted, for their own Persons, from all Levies. And the Council's Amendment, would strike that out: But the Burgeesses consider that Service, as a Matter of so great Trouble, Fatigue, and Danger to their Healths, that they debated for some Time, how they might pay them suitably to the Merit of their Service: But fearing it might prove too great a Burthen, they thought they could do no less, than give them this small Encouragement, which, perhaps, may amount to about Sixty Pounds of Tobacco *per Annum*, to each Person: And this in deed, is no great Matter, but the Burgeesses will not recede from it.

Thirdly, The Bill impowers the Court-Martial to chuse their own Clerk, and to pay him at their Discretion. The Council would have him appointed by the Lieutenant of the County, and settle his Salary at 500 *lbs.* of Tobacco *per Annum*: But the Burgeesses having observed, that these Clerks have, by all former Laws, been appointed by the Court, can see no Reason to change the Method, but still think the Power properly lodged with them; and they decline establishing the Salary propos'd, because they conceive, it may often prove unequal, seeing 500 *lbs.* of Tobacco will, sometimes be more, and sometimes less, than the Service is worth.

Fourthly,

Fourthly, The Bill leaves a Power in the Court-Martial, to put such Orders as are made for Fines in Execution, by delivering them into the Sheriff's Hands, to be received or levied by Distress, in Case of Non-payment. The Council would give a Power to the County-Lieutenants, to control all their Acts, and would have no Fines levied, without the Warrant of the Lieutenant, or other chief Officer: But the Burgeffes confider, that this Power, in the Lieutenants of Counties, has heretofore been much abused, and, in some Instances, exercised very partially, and for that Reason, they cannot agree to the Amendment; nor can they see any Reason, why any Fines ordered by the Court, upon due Deliberation and Consideration of the Excuses made by the Parties, should be remitted by the secret Will and Pleasure of one Member only, especially now, since the Fines are so much moderated.

Fifthly, The Bill obliges the Captains to muster, at least Four Times a Year, and limits the Number of Fines to Five Times. The Council would have Musters Twelve Times, and Delinquents fined, not exceeding Thirteen Times a Year.

And the Burgeffes are very sensible, That frequent Exercising will train Men, and make them more fit for Service, in less Time than probably can be expected from the Bill, as it now stands: Yet, since the People have never before been obliged to muster oftner than is now directed, and all Musters have, in great Measure, ceased for near Fifteen Years past, the Burgeffes cannot agree on a sudden, to increase the Burthen to Three Times the Number; but desire some Trial may be made of the Method prescribed by this, and former Laws. For tho' No-body can be fined oftner than Five Times a Year, for being absent from Musters, yet the Captains have Power to call them together oftner, if they please; and the Burgeffes doubt not, but they will be generally obey'd; and the training and exercising of the greater Part, will be as useful, as if the whole Troop had met together.

These are the Reasons, which have induced the Burgeffes to disagree to the Amendments in Debate between them, and the Council; and whether they will have any great Weight or not, the Burgeffes persuade themselves, if the Bill should miscarry, thro' the Difference of Opinions upon these Heads, they shall have acquitted themselves; and leave it to the Council to consider, whether they think it best, to let a Law, confessed to be useless in many Particulars, remain in Force, rather than pass this Bill; which, as to most of the Points in Dispute, is agreeable to that Law, as it now stands.

A Petition of *Thomas Roy*, in Custody of the Serjeant at Arms, was presented to the House, and read; praying, that he may be heard, and Witneses may be examined, touching his Behaviour, in relation to the late Controverted Election of Burgeffes to serve in this present General Assembly, for the County of *Caroline*.

Ordered, That the said Petition be refer'd to the Consideration of the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the same, as it shall appear to them, with there [their] Opinion thereupon, to the House.

A Bill, intituled, *An Act to amend the Law, in Relation to the Trial of Slaves, committed for Capital Crimes*, was read the third Time; and the Blanks in the Bill, filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Acrill* do carry the Bill to the Council, and desire their Concurrence.

The House being informed, That Mr *William Rascoe* attended in Custody,

Ordered, That he be discharged out of Custody, paying Fees.

A Message from the Council, by Mr *Robertson*:

That they have made several Amendments to the Bill, intituled, *An Act, for the better Direction of Officers, in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent*.

And also, to the Bill, intituled, *An Act, for appointing certain new Public Ferries; settling the Rates of several County Ferries; and altering several Court Days*: To which they desire the Concurrence of this House.

And

And that they have agreed to the Bill, intituled, *An Act for amending the Act, intituled, An Act, for building a Bridge over Nottoway River*, without any Amendment.

A Bill, intituled, *An Act, for the better Regulation of the Office of Surveiors of Lands; and directing them in their Duty*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Robinson* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for confirming and better securing the Titles to Lands in the Northern-Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland*; was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Fitzhugh* do carry the Bill to the Council; and desire their Concurrence.

Mr *Robinson* from the Committee, to whom the Bill, *to dock the Entail of certain Lands, whereof Lewis Burwell, Esq; is seised; and for settling other Lands of greater Value to the same Uses*, was committed, reported, That they had made an Amendment to the Title, and several Amendments to the Body of the Bill; and gone thro' the same, and examined the Allegations thereof, which with those Amendments, they found to be true; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table, where the Amendments were again read: And, upon the Question severally put, agreed to by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Message from the Council, by Mr *Robertson*:

That they agree to the Conference desired by this House, upon the subject Matter of the Amendments by them proposed, to the Bill, intituled, *An Act, for the better Regulation of the Militia*; to which this House have disagreed; and have appointed Four of their Members, Managers, who are now ready to meet the Conferees of this House, in the Conference Chamber.

And the Managers appointed by the House, went up to attend the Conference accordingly.

A Bill, intituled, *An Act, for Relief of certain Persons who were Sufferers in the Loss of the Records of the County of Nansemond*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Reddick* do carry the Bill to the Council; and desire their Concurrence.

A Bill, *for the Relief of divers of the Inhabitants of the Parishes of Raleigh, and Dale; and the Inhabitants of the County of Orange*; was read the second Time.

Ordered, That the Bill be committed to the Committee, who prepared it: That they do examine the Allegations thereof; and report the same, as it shall appear to them, to the House.

A Bill, *for further amending the Act, for amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs*, was read the second Time; and several Amendments were proposed; which, upon the Question put, were disagreed to, and other Amendments were made to the Bill at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Message from the Council, by Mr *Robertson*:

That they desire an immediate Conference upon the subject Matter of the last Conference; and that their Managers are now ready in the Conference Chamber.

Accordingly the Managers of the House went up; and being returned, Mr *Robinson* reported, That they had met Four of the Members of the Council in the Conference Chamber, and laid before them the Reasons why this House cannot agree to all the Amendments insisted on, by the Council, to the Bill, *for the better Regulation of the Militia*; and that they said, They would lay those Reasons before the Council: And
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at the second Meeting, they were told by the Managers of the Council, That tho' the Council had good Reasons to oppose to the Reasons offer'd by this House, for their Disagreement to their Amendments; yet, in Regard to the Public Good, they did recede from those Amendments, except the last, which they still insist on.

Resolved, That this House doth adhere to their last Reason for their Disagreement to those Amendments.

Ordered, That a Message be sent to the Council, to acquaint them, That this House doth adhere to their last Reason for their Disagreement to the said Amendments; and have sent back the Bill, for them to do upon it what they think fit: And that Mr *Robinson* go up with the Message.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for appointing certain new Public Ferries; settling the Rates of several County Ferries; and altering several Court Days*; and the Amendments were read, and the Two first were agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to Two, and disagreed to the rest of the said Amendments, and desire they will pass the Bill, with the Amendments agreed to, by this House: And that Mr *Corbin* go up with the Message.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Friday, September 17, 1736.

MR. *Boush* presented to the House, according to Order, a Bill, *to confirm the Charter of the Borough of Norfolk; and for enlarging the Jurisdiction of the Court of Hustings in the City of Williamsburg*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration, the Petition of *Thomas Roy*, in Custody of the Serjeant at Arms, with the Certificate thereto annex'd, containing a Character of the said *Roy*, to them referred; and had heard the said *Roy*, and his Witnesses, upon the Matter of the said Petition; and were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, as follows.

Resolved, That it is the Opinion of this Committee, That the said *Thomas Roy* be discharged out of Custody, paying Fees.

And the Resolution being read a second Time, a Debate arose thereupon; and the Question was put, That the said Report be committed for a fuller State of the Evidence?

It passed in the Negative.

Then the Question was put, that the House do agree with the said Committee in the said Resolution?

Resolved in the Affirmative.

Ordered, That the said *Thomas Roy* be discharged out of Custody, paying Fees.

Mr *Conway*, also reported from the said Committee, That the Committee had had under their Consideration, the Returns of the several Writs, for Electing a Burgefs for the County of *Caroline*, in the room of Mr *Jonathan Gibson*, whose former Election was declared void; for Electing a Burgefs for the County of *Prince William*, in the room of Mr *Thomas Osborne*, lately expelled, and disabled to sit in this House; and for Electing Two Burgeffes for the County of *Hanover*, to serve in this present General Assembly; and that the first mentioned Return is made in the Form prescribed by Law; and the Two other Returns are not made in the Form prescribed by Law.

Ordered, That the Returns of the said several Writs, for Electing a Burgefs for the County of *Prince William*; and for Electing of Burgeffes for the County of *Hanover*, be amended by the Clerk at the Table. And they were amended accordingly.

M^r

Mr Robinson, from the Committee, to whom the Bill, *to impower the Vestries of the Parishes of St. John, in the County of King William, and the Parish of Warwick, in the County of Warwick, to sell several Parcels of Glebe Land therein mentioned, and to purchase better and more convenient Glebes, in Lieu thereof*, was committed, reported, That they had examined the Allegations of the Bill, and found the same to be true; and had gone thro' it, and made an Amendment to the Title, and several Amendments to the Body of the Bill; which they directed him to report; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table, where the Amendments were twice read: And, upon the Question severally put, agreed to by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Acrill, from the Committee, to whom the Bill, *for selling certain Lands, with a Water-Mill, and Slaves, of the Estate of Joseph Allen, Gent. deceased, for the Paiment of his Debts*, was committed, reported, That they had examined the Allegations of the Bill, and found the same to be true; and that the Committee had gone thro' the Bill; and had directed him to report the same to the House, without any Amendment; and he delivered the Bill in at the Table.

Ordered, That the Bill be ingrossed.

Mr Fitzhugh mov'd for Leave to present a Bill, *for the further Regulating the Paiment of the Burgeses Wages*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Message from the Council, by *Mr Robertson*:

That they have made several Amendments to the Bill, intituled, *An Act, for the better Regulation of the Office of Surveiors of Land; and directing them in their Duty*:

And that they have made an Amendment to the Bill, intituled, *An Act, for confirming and better securing the Titles to Lands in the Northern-Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland*: To which they desire the Concurrence of this House:

And that they have passed the Bill, intituled, *An Act, for appointing certain new Public Ferries; settling the Rates of several County Ferries; and altering several Court Days*, with the Amendments agreed to by this House:

And also, the Bill, intituled, *An Act, for Relief of certain Persons who were Sufferers in the Loss of the Records of the County of Nanfemond*, without any Amendment.

A Bill, intituled, *An Act, for better regulating and collecting certain Officers Fees; and for other Purposes therein mentioned*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Robinson* do carry the Bill to the Council; and desire their Concurrence.

A Petition of *Mr Dennis McCarty*, was presented to the House, and read, complaining of an undue Election and Return of *Mr Peter Hedgman*, to serve as a Burges in this present General Assembly, for the County of *Prince William*; setting forth, That the said *Hedgman*, and *Mr John Mercer*, whilst the Poll was taking, used many undue Practices, to prevent the Petitioner from being returned; and the said *Mercer* forced many Freeholders to vote for the said *Hedgman*, who would have voted for the Petitioner; that the said *Hedgman* called for his Sword, and threatened to run the Sheriff through, for reproving the said *Mercer* for his Misbehaviour: That the Petitioner has a greater Number of legal Votes upon the Poll, than the fitting Member, and many more Freeholders were coming to poll for the Petitioner, who were depriv'd of their Votes, the said *Hedgman* obliging the Sheriff to close the Poll, and return him duly Elected, and promising to indemnify him for so doing; and praying, that the Merits of the said Election may be heard before the House; and if determined in his Favour, that he may be declared duly elected.

Ordered, That the said Petition, be referred to the Consideration of the next Session of Assembly.

A Bill, intituled, *An Act, for the further amending the Act, for amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs*, was read the third Time. Resolved, That the Bill do pass.

Ordered, That Mr Blair do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, to dock the Entail of certain Lands, whereof Lewis Burwell, Esq; is seised; and for settling other Lands and Slaves, of greater Value, to the same Uses*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Acrill do carry the Bill to the Council; and desire their Concurrence.

Mr Acrill presented to the House, according to Order, a Bill, *for obliging Persons to serve the Time they shall be bound for by their Indentures, tho' such Persons be under the Age of Twenty One Years, at the Time of such binding*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House proceeded to the Consideration of the Amendments propos'd by the Council, to the Bill, intituled, *An Act, for laying a Duty upon Liquors imported by Land; and better securing the Duty upon Slaves; and for other Purposes therein mentioned*; and the Amendments, were read, and with Amendments to some of them, agreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendments by them propos'd to the said Bill, with Amendments to some of them: To which they desire their Concurrence.

Mr Edmunds presented a Petition of fundry Inhabitants of the Parish of *Lawn's Creek*, in the County of *Surry*, praying, to be enabled to sell their Glebe, and to purchase another more convenient; and pray'd, that the same might be received: And the Question was put thereupon. The House divided. The Noes go forth.

Yeas, 22.

Noes, 22.

The Speaker, Yea.

And so, it was resolved in the Affirmative.

Then the Petition was read.

Resolved, That the said Petition be rejected.

The House proceeded to the Consideration of the Amendments propos'd by the Council, to the Bill, intituled, *An Act, to declare who shall have a Right to vote in the Election of Burgesses, to serve in the General Assembly, for Counties*; and the Amendments were read, and the second and last Amendments were agreed to, and the rest disagreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the second Amendment by them propos'd, and to the last Amendment, for striking out the last Clause of the said Bill; and to all the rest of their Amendments the House have disagreed; and desire they will pass the Bill, with the Amendments agreed to by this House: And that Mr Conway go up with the Message.

The House also proceeded to the Consideration of the Amendments propos'd by the Council, to the Bill, intituled, *An Act, for preventing Persons contracting small Debts, to remove their effects out of the County where they reside, and for allowing a Lawyer's Fee, in some Cases, upon Recoveries had upon Petitions*; and the Amendments were read, and agreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendments by them propos'd to the said Bill: And that Mr McCarty go up with the Message.

The House also proceeded to the Consideration of the Amendments propos'd by the Council, to the Bill, intituled, *An Act, for amending the Act, intituled, An Act, for the better Direction of Officers, in the Sale of Goods, or other Things, taken in Execution, or*
disstrained

distraigned for Rent; and the Amendments were read; and some of them were agreed to, without Amendments; and others, with Amendments; and the rest were disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to some of the Amendments by them propos'd to the said Bill, without Amendment; and to others, with Amendments; and to the rest of their Amendments, the House have disagreed; and desire they will pass the Bill, with the Amendments, agreed to by this House: And that Mr *Fitzhugh* go up with the Message.

A Message from the Council, by Mr *Robertson*:

That they have agreed to the Bill, intituled, *An Act, to declare who shall have a Right to vote in the Election of Burgeesses to serve in the General Assembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at such Elections, with the Amendments, in which this House have concurred.*

Also, to the Bill, intituled, *An Act, for laying a Duty upon Liquors imported by Land; and better securing the Duty upon Slaves; and for other Purposes therein mentioned, with the Amendments made by this House to their Amendments.*

And to the Bill, intituled, *An Act, for better regulating and collecting certain Officers Fees; and other Purposes therein mentioned, without any Amendment.*

Ordered, That Mr *Beverley* have Leave to go Home.

Ordered, That Mr *Acrill* have Leave to be absent from the Service of the House, 'til Monday next.

A Bill, *to prevent the Retailing of strong Liquors in the Town of York, in small Quantities*, was read the second Time; and several Amendments were made, and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Saturday, September 18, 1736.

Mr *Robinson*, from the Committee, to whom the Bill, *for the Relief of divers of the Inhabitants of the Parishes of Raleigh, and Dale, and the Inhabitants of the County of Orange*, was committed, reported, That they have examined the Allegations of the Bill, which they find to be true; so far as concerns the Parishes of Raleigh, and Dale, and the parish of Bristol: But as to what relates to the Counties of Orange, and Spotsylvania, it doth not sufficiently appear to them, that those Allegations are true; and that they had gone thro' the Bill, and made an Amendment to the Title, and in the Body of the Bill; which they had directed him to report; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table, where the Amendments were read; and upon the Question severally put, agreed to by the House.

Ordered, That the Bill be ingrossed.

Mr *Robinson* presented to the House, according to Order, a Bill, *for settling an Allowance to Witneses attending the Council Board; lessening the Allowances to Witneses in the County Courts; and altering the Method of providing for the Passage of the Eastern Shore Burgeesses, to and from the General Assembly*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, *to confirm the Charter of the Borough of Norfolk; and for enlarging the Jurisdiction of the Court of Hustings in the City of Williamsburg*, was read the second Time.

Ordered, That the Bill be ingrossed.

Mr *Blair* presented to the House, according to Order, a Bill, *for making Reparation for the Tobacco lately burnt in Gray's Creek Warehouse*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act to impower the Vestries of the Parish of St. John, in the County of King William, and Parish of Warwick, in the County of Warwick, to sell several Parcels of Glebe Land therein mentioned, and to purchase better and more convenient Glebes, in Lieu thereof*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Lyde do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act, to prevent the Retailing strong Liquors in the Town of York, in small Quantities*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Digges do carry the Bill to the Council, and desire their Concurrence.

A Bill, intituled, *An Act, for selling certain Lands, with a Water-Mill, and Slaves, of the Estate of Joseph Allen, Gent. deceased, for the Paiment of his Debts*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Allen do carry the Bill to the Council, and desire their Concurrence.

A Bill, *for obliging Persons to serve the Time they shall be bound for by Indentures, tho' such Persons be under the Age of Twenty One Years, at the Time of such binding*, was read the second Time; and an Amendment was made to the Title, and in the Body of the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingroffed.

Ordered, That the Title of the Bill, be, *An Act, for obliging Apprentices to serve the Time they shall be bound for by Indentures, notwithstanding their Infancy*.

The House proceeded to the Consideration of the Amendment propofed by the Council, to the Bill, intituled, *An Act, for confirming and better securing the Titles to Lands in the Northern Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland*; and the Amendment was read, and with Amendments, agreed to by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendment by them propofed, to the said Bill, with some Amendments; to which they desire their Concurrence: And that Mr Fitzhugh go up with the Message.

The House also proceeded to the Consideration of the Amendments propofed by the Council, to the Bill, intituled, *An Act, for the better Regulation of the Office of Surveiors of Land; and directing them in their Duty*; and the Amendments were read; and the first Amendment was disagreed to; and the rest were agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have disagreed to the first, and agreed to the rest of their Amendments to the said Bill; and desire they will pass the Bill, with the Amendments agreed to by this House: And that Mr Randolph go up with the Message.

A Message from the Council, by Mr Robertson:

That they have agreed to the Amendments propofed by this House, to their Amendments to the Bill, intituled, *An Act, for amending the Act, intituled, An Act, for the better Direction of Officers in the Sale of Goods, or other Things, taken in Execution, or distrained for Rent*; and that they do recede from their Amendments, to which this House have disagreed.

That they have passed the Bill, intituled, *An Act, for preventing Persons contracting small Debts, to remove their Effects out of the County where they reside; and for allowing a Lawyer's Fee, in some Cases, upon Recoveries had upon Petitions*.

That they have agreed to the Amendments propofed by this House, to their Amendments to the Bill, intituled, *An Act, for confirming and better securing the Titles to Lands in the Northern Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland*.

And to the Bill, intituled, *An Act, to dock the Entail of certain Lands, whereof Lewis Burwell, Esq; is seised, and for settling other Lands and Slaves, of greater Value, to the same Uses, without any Amendment*.

A Bill, for further regulating the Paiment of the Burgeffes Wages, was read the second Time.

Resolved, That the Bill be committed.

Ordered, That it be committed to a Committee of the whole Houfe.

The Houfe accordingly refolved itfelf into the faid Committee; and after fome Time fpent therein, Mr Speaker refum'd the Chair: And Mr *Corbin* reported, from the Committee, That they had had the faid Bill under their Confideration, and gone thro' the fame; and had alter'd the Title, and the whole Body of the Bill, and had prepared a new Bill; which they defired him to report; and he delivered the Bill in at the Table, where the fame was read.

And a Motion was made to infer a Clause, for paying the Burgeffes Wages from the *Eastern Shore*, the fame Wages, as are allowed by Law, to the other Burgeffes: And the Queftion put thereupon?

It paffed in the Negative.

Ordered, That the Bill be ingroffed.

A Meffage from the Council, by Mr *Robertfon*:

That they have agreed to the Bill, intituled, *An Act, to impower the Vestries of the Parifh of St. John, in the County of King William, and the Parifh of Warwick, in the County of Warwick, to fell feveral parcels of Glebe Land therein mentioned, and to purchafe better and more convenient Glebes, in Lieu thereof.*

Alfo, to the Bill, intituled, *An Act, to prevent the Retailing of ftrong Liquors, in the Town of York, in fmall Quantities.*

And alfo, to the Bill, intituled, *An Act, for felling certain Lands, with a Water Grist-Mill and Slaves, of the Eftate of Jofeph Allen, Gent. deceased, for the Paiment of his Debts, without any Amendment.*

That they have made fome Amendments to the Bill, intituled, *An Act, for the further amending the Act, for amending the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*; to which they defire the Concurrence of this Houfe.

Mr *Robinfon*, from the Committee of Propofitions and Grievances, reported, That the Committee had had under their Confideration, a Propofition of diverfe of the Inhabitants of that Part of *Wicocomo* Parifh, which lies in the County of *Lancaster*, praying, in Regard of fundry Inconveniences they labour under, to be annexed to the County of *Northumberland*; and had come to a Refolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to by the Houfe, as follows:

Resolved, That the faid Propofition is not legally certified, and that therefore the fame be rejected.

Mr *Robinfon* alfo reported, from the faid Committee, That they had alfo had under their Confideration, a Propofition from the County of *Richmond*, for fettling the Bounds between that County, and the Counties of *Westmoreland*, and *King George*; and had come to a Refolution thereupon; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to by the Houfe, as follows:

Resolved, That the faid Propofition be referred to the Confideration of the next Seffion of Affembly.

Ordered, That Mr *Fitzhugh* have Leave to go Home upon an extraordinary Occafion.

Ordered, That the Houfe be adjourned 'til Monday Morning, Ten o'Clock.

Monday, Sept. 20, 1736.

THE Houfe proceeded to the Confideration of the Amendments propofed by the Council, to the Bill, intituled, *An Act, for further amending the Act, for amending the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*; and the Amendments were read, and the firft Amendment was difagreed to; and the other Amendments agreed to by the Houfe.

Ordered,

Ordered, That a Message be sent to the Council, to acquaint them, That this House cannot agree to their first Amendment; but do agree to the other Amendment by them propos'd, to the said Bill; and desire they will pass the Bill, with the Amendment agreed to by this House.

A Message from the Council, by Mr *Robertson*:

That they do not insist on the Amendment by them propos'd to the Bill, intituled, *An Act, for further amending the Act, for amending the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*; to which this House have disagreed; but have passed the Bill, with the Amendments agreed to, by this House.

And that they do insist on their Amendments to the Bill, intituled, *An Act, for the better Regulation of the Office of Surveiors of Land, and directing them in their Duty*; to which this House have disagreed; and desire they will pass the Bill, with that Amendment.

Ordered, That a Message be sent to the Council, to acquaint them, That this House cannot agree to their Amendments to the said Bill, which they insist on; but do agree to strike out the whole Clause, in which that Amendment is proposed to be made: And that Mr *Randolph* go up with the Message.

The House proceeded to the Consideration of the Book of Claims; and the same was read thro', and several Amendments were made to the Book, by the House.

A Message from the Council, by Mr *Robertson*:

That they have agreed to the Amendments proposed by this House, instead of their Amendments to the Bill, intituled, *An Act, for the better Regulation of the Office of Surveiors of Land; and directing them in their Duty*; and have pass'd the Bill, with the Amendments; to which this House have agreed.

A Bill, intituled, *An Act, for obliging Apprentices to serve the Time they shall be bound for by Indentures, notwithstanding their Infancy*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Acrill* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, to confirm the Charter of the Borough of Norfolk; and for enlarging the Jurisdiction of the Court of Hustings, in the City of Williamsburg*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Blair* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for the Relief of divers of the Inhabitants of the Parishes of Raleigh, and Dale*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Booker* do carry the Bill to the Council; and desire their Concurrence.

A Bill for settling an Allowance to Witneses attending the Council Board; lessening the Allowances to Witneses in the County Courts; and altering the Method of providing for the passage of the *Eastern Shore Burgeses*, to and from the General Assembly, was read the second Time; and an Amendment made to the Title, and in the Body of the Bill.

Ordered, That the Bill be ingrossed.

Ordered, That the Title of the Bill, be *An Act, for lessening the Allowances to Witneses in the County Courts; and altering the Method of providing for the Passage of the Eastern Shore Burgeses, to and from the General Assembly*.

A Bill, for making Reparation for the Tobacco lately burnt at *Gray's Creek* Warehouse, was read the second Time, and an Amendment was proposed; which, upon the Question put, was disagreed to by the House.

Ordered, That the Bill be ingrossed.

Ordered, That a Committee be appointed to examine the inrolled Bills; and it is referred to Mr *Robinson*, Mr *Allen*, Mr *Turner*, Mr *Aylett*, Mr *Acrill*, and Mr *Buckner*.

Ordered,

Ordered, That a Committee be appointed for proportioning the Public Levy, of the following Persons:

Mr Conway,

Mr Eaton,

Mr Price,

Mr Waring, and

Mr Blair,

Mr Edmunds.

Ordered, That the House be adjourned 'till To-morrow Morning, Ten o'Clock.

Tuesday, Sept. 21, 1736.

THE Allowances to the several Officers of the General Assembly, were settled by the House, and inserted in the Book of Claims.

Ordered, That Mr Blair do carry the Book of Claims to the Council, and desire their Concurrence; and that he also attend the Governor, and desire his Assent.

Mr Acrill reported, That the Persons appointed, had, according to Order, prepared and drawn up a State of the Duty upon Slaves, and the several Payments that had been made, with the Amount thereof; and also of the Deficiencies of that Duty; and had agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table, where it was again read.

Ordered, That such Parts of the said Accounts, as Mr Speaker shall think necessary, be printed.

A Bill, intituled, *An Act, for paying the Wages of the Burgeffes in Money, for this present Session of Assembly*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Corbin do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for lessening the Allowances to Witneffes in the County Courts; and altering the Method of providing for the Passage of the Eastern Shore Burgeffes, to and from the General Assembly*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Conway do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for making Reparation for the Tobacco lately burnt in Gray's Creek Warehouse*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Blair do carry the Bill to the Council; and desire their Concurrence.

The House was informed, That Mr Alexander Ker has made several Encroachments upon the Capitol Square, particularly in setting a Brick-Kiln upon the Capitol Bounds.

Ordered, That the Directors of the City of Williamsburg, take Care to remove the Nuisance of the said Brick-Kiln that is preparing to be burnt near the Capitol.

Resolved, That the Salary to the keeper of the Capitol, be paid Yearly by the Treafurer, upon the Governor's Warrant.

The House proceeded to the Consideration of the Report, upon the Treafurer's Accounts, and the same was read; by which it appears, that the Ballance remaining in his Hands, is Two Thousand One Hundred and Twenty Six Pounds Eighteen Shillings: And the Treafurer's Accounts, with a Duplicate, were passed by the House.

Ordered, That Mr Acrill do carry the said Accounts and Duplicate to the Council, in order to their being passed by them.

A Message from the Council, by Mr Robertson:

That they have agreed to the Book of Claims, without any Alteration.

Mr Blair reported, That he had according to Order, attended the Governor; and that he was pleas'd to give his Assent to the Book of Claims.

A Message from the Council by Mr *Robertson*:

That they have agreed to the Bill, intituled, *An Act, for paying the Wages of the Burgeffes in Money, for this present Sessjon of Assembly.*

Also, to the Bill, intituled, *An Act, for obliging Apprentices to serve the Time they shall be bound for by Indentures, notwithstanding their Infancy.*

Also, to the Bill, intituled, *An Act, for the Relief of divers of the Inhabitants of the Parishes of Raleigh, and Dale.*

Also, to the Bill, intituled, *An Act, for making Reparation for the Tobacco lately burnt in Gray's Creek Warehouse.*

Also, to the Bill, intituled, *An Act, to confirm the Charter of the Borough of Norfolk; and for enlarging the Jurisdiction of the Court of Hustings, in the City of Williamsburg.*

Also, to the Bill, intituled, *An Act, for lessening the Allowances to Witnesfes in the County Courts; and altering the Method of providing for the Passage of the Eastern Shore Burgeffes, to and from the General Assembly, without any Amendments.*

And that they have passed the Treasurer's Accounts.

Ordered, That a Bill be prepared for raising a Public Levy: And that the Committee appointed to proportion the Public Levy, prepare and bring in the same.

A Motion was made, That it be an Instruction to the said Committee, that they have Power to receive a Clause to be inserted in the said Bill, to provide for the Payment of Patrollers, and the Question put thereupon?

It passed in the Negative.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Wednesday, Sept. 22, 1736.

MR. *Conway* presented to the House, according to Order, A Bill, for raising a Public Levy; and for other Purposes therein mentioned; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, for raising a Public Levy; and for other Purposes therein mentioned, was read the second Time.

Ordered, That the Bill be ingrossed.

Upon a Motion in Behalf of Mr *Jonathan Gibson*, to know the Pleasure of the House, whether he shall be paid for the Time he was absent to attend the Examination of Witnesfes, in Relation to the late Controverted Election for the County of *Caroline*?

Resolved, That the said Mr *Gibson* be paid for his Attendance to the Time he was voted unduly elected.

Upon a Motion, in Behalf of Mr *James Ball*,

Resolved, That he be paid for the Time of this whole Sessjon, notwithstanding his Absence for some Time, occasioned by Sicknesf.

Mr *Robinson*, from the Committee of Propositions and Grievances reported, That the Committee had, according to Order, prepared an Address to His Majesty; which he read in his Place; and afterwards delivered in at the Table, where it was again read, and agreed to, by the House.

Ordered, That the said Address be fairly transcribed, and a Blank left for the Council; and that Mr *Robinson* go up to the Council with the said Address, and desire their Concurrence.

A Bill, intituled, *An Act, for raising a Public Levy; and for other Purposes therein mentioned*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That the Bill be carried up to the Council, with the Book of Proportions, for their Concurrence.

Ordered, That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Thursday,

Thursday, September 23, 1736.

MR. *Conway* reported, That the Persons appointed, had, according to Order, settled the Proportions of the Public Levy, and stated the same in a Book; which he delivered in at the Table.

Mr *Robinson* reported, That the Persons appointed, had, according to Order, examined the inroll'd Bills, and rectified such Mistakes as had been found therein; and that the same are truly inrolled.

Ordered, That Mr *Robinson* carry the inroll'd Bills to the Council, for their Inspection.

Ordered, That all the Private Bills of this Session, be printed.

The House proceeded to the Consideration of the Book of Proportions; and the same was read, and agreed to by the House.

Ordered, That the several Sums of Tobacco that are left in Deposit, in the Book of Proportions, be sold by the Collectors respectively, for the best Price that can be got, by Way of Auction at their County Courts in *July*; and that they pay the Money arising from such Sale, to the Treasurer, for the Public Use.

A Message from the Council, by Mr *Robertson*:

That they agree to join with this House in the Address to the King, and have caused the same to be signed by the President; and that they have perused the inroll'd Bills, and are satisfied they are truly inrolled: Which said Address is in these Words;

To the King's most Excellent Majesty.

The Humble Address of the Council, and House of Burgeesses, of Virginia.

WE, Your Majesty's most dutiful and loyal Subjects, the Representatives of the People of Your Ancient Colony of *Virginia*, now met in a General Assembly, humbly approach Your Throne, to acknowledge the singular Felicities of Your auspicious Reign, which we see flowing from the Wisdom and good Policy of Your Administration to all Your Subjects, even to us the most remote of them: The happy Prospect You have lately given of a lasting and universal Peace, between the contending Powers of *Europe*, proves the Sufficiency and Delicacy of Your Measures, in bringing about so Difficult a Work, as that of reconciling the Various and Opposite Interests of so many formidable Powers, shews how evenly You hold the Balance of Power, and makes the *British* Glory shine forth in its full Lustre: In the Contemplation of which great Events, We cannot but behold, with the utmost Pleasure, Your Majesty's Steadiness and Constancy; directing every action to these good Ends, amidst the Noise and Clamour of a busy Faction, always complaining of they know not what, and placing Your Councils, which are far above their Capacity and Forefight, in a false Light.

PERMIT us further, to join in the common Joy of all Your Subjects, upon the Occasion of the late Happy Marriage of his Royal Highness the Prince of *Wales*, with one of the most Accomplished Princesses in *Europe*; whose Alliance brings Strength and a good Omen to the Protestant Cause; being not only Educated and Confirmed in the Principles of that Religion, but hath the honour to be descended from one of the most Illustrious of the Primitive Reformers.

AND after this Congratulation, pardon us, Sir, if we lay before You, a Necessity we find our selves under, of petitioning Your Majesty for a Supply of Arms for the poorer Sort of our Militia; without which, a great Part of them must continue, as they now are, useless and ineffective: But this we humbly submit to Your great Wisdom, Prudence, and Goodness; praying for a long Continuance of Your happy Reign over all Your Kingdoms and Dominions.

Ordered, That the said Address be signed by the Speaker, in Behalf of this House.

Ordered,

Ordered, That the Speaker of this Houfe employ Workmen to enlarge the Chamber of the Burgefles, and to make the fame more commodious, before the next Seffion of Affembly.

A Meffage from the Council, by Mr *Robertfon*.

That they have agreed to the Book of Proportions, and obtained the Governor's Affent; and that they have alfo agreed to the Bill, intituled, *An Aâ, for raifing a Public Levy; and for other Purpofes therein mentioned*, without any Amendment.

A Meffage from the Governor, was delivered by Mr *Robertfon*:

Mr Speaker,

The Governor commands the immediate Attendance of this Houfe in the Council-Chamber.

Mr Speaker, with the Houfe, went up accordingly: And the Governor was pleafed to give his affent to the following Public and Private Bills:

An Aâ, for laying a Duty upon Liquors imported by Land; and better fecuring the Duty upon Slaves; and for other Purpofes therein mentioned.

An Aâ, to declare who fhall have a Right to vote in the Election of Burgefles to ferve in the General Affembly, for Counties; and for preventing fraudulent Conveiances, in order to multiply Votes at fuch Elections.

An Aâ, for further amending the Aâ, for amending the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs.

An Aâ, for obliging Apprentices to ferve the Time they fhall be bound for by Indentures, notwithstanding their Infancy.

An Aâ, for altering the Laws now in force, for the Sale of Goods taken in Execution, or diftrained for Rent; and for the better preventing the fraudulent Practices of Tenants.

An Aâ, for preventing Perfons contracting fmall Debts, to remove their Effects out of the County where they refide; and for allowing a Lawyer's Fee, in fome Cafes, upon Recoveries had upon Petitions.

An Aâ, for the greater Eafe and Encouragement of Sherifs.

An Aâ, for the better regulating and collecting certain Officers Fees; and other Purpofes therein mentioned.

An Aâ, to prevent cutting up Tobacco Suckers.

An Aâ, for regulating Fees and Accounts of the Praëtifiers in Phyfic.

An Aâ, for the better Regulation of the Office of Surveiors of Land; and direëting them in their Duty.

An Aâ, for raifing a Public Levy; and for other Purpofes therein mentioned.

An Aâ, for confirming and better fecuring the Titles to Lands in the Northern Neck, held under the Right Honourable Thomas, Lord Fairfax, Baron of Cameron, in that Part of Great-Britain, called Scotland.

An Aâ, for leffening the Allowance to Witneffes in the County Courts; and altering the Method of providing for the Pafrage of the Eastern Shore Burgefles, to and from the General Affembly.

An Aâ, for Paying the Wages of the Burgefles, in Money, for this prefent Seffion of Affembly.

An Aâ, for the Relief of divers of the Inhabitants of the Parifhes of Raleigh, and Dale.

An Aâ, for Relief of certain Perfons who were Sufferers in the Lofs of the Records of the County of Nanfemond.

An Aâ, for building a Bridge over Nottoway River.

An Aâ, for appointing certain new Public Ferries; fettling the Rates of feveral County Ferries; and altering feveral Court Days.

An Aâ, for making Reparation for the Tobacco lately burnt in Gray's Creek Warehoufe.

An Aâ, to dock the Entail of certain Lands, whereof Lewis Burwell, Efq; is feifed; and for fettling other Lands and Slaves, of greater Value, to the fame Ufes.

An

An Act, to impower the Vestries of the Parish of St. John, in the County of King William; and the Parish of Warwick, in the County of Warwick, to sell several Parcels of Glebe Land therein mentioned; and to purchase better and more convenient Glebes, in Lieu thereof.

An Act, for selling certain Lands, with a Water-Mill, and Slaves, of the Estate of Joseph Allen, Gent. deceased, for the Payment of his Debts.

An Act, to confirm the Charter of the Borough of Norfolk; and for enlarging the Jurisdiction of the Court of Hustings, in the City of Williamsburg.

An Act, to prevent the retailing of strong Liquors, in the Town of York, in small Quantities.

Then Mr Speaker presented the Address to (His Majesty) desiring the Governor, in Behalf of the Burgeffes, that he would transmit the same to *Great-Britain*, and procure it to be presented to His Majesty; and that he would also be pleased to lay before the Right Honourable the Lords Commissioners for Trade and Plantations, the last Article of the Address, and pray their Lordships Intercession for obtaining their Petition therein.

To which the Governor answered, That he would take particular Care of the Matter. And then his Honour was pleas'd to make the following SPEECH.

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,

THE Regard you have shewed, to what at your first Meeting I propos'd to you for the Service of the Colony; Your Readiness and Chearfulness in going through with whatever has been mov'd for, among your selves; and your Concern in general for the Welfare of Those you represent; are such Instances of your Prudence and Moderation, that I should think my self inexcusable if I did not own, that the Throng of Business you have been engaged in, during the Course of this Session, have been managed with very great Application and Address.

AND tho' some Difference in Opinion has retarded the Measures projected for the further Defence of the Country, yet I persuade my self, that Gentlemen who have equally at Heart the Public Safety, will, on another like Occasion, readily unite, to perfect what is now left unfinished.

Gentlemen of the House of Burgeffes,

IT may, perhaps, be thought needless in me, to entreat Persons so well disposed, to go on in the Pursuit of the real Interest of their Country, by being watchful of the due Execution of the Tobacco-Law; the Want of which, is the only Argument, I think, can be brought against it: But since so much depends upon it, and that Objection, with proper Heed, may so easily be removed, I must recommend it to you, as deservedly the Principal Object of your Care. And because, by the same Act, such and so many Justices in every County, are authorized and impowered to hear and report all Complaints, and to visit the Warehouses, that the Rules thereby established may not be transgressed, I must and do expect it from them.

WITH my hearty Thanks to you, Gentlemen of the Council, to Mr Speaker, and you Gentlemen of the House of Burgeffes, and wishing all of you an uninterrupted Enjoyment of Health and Happiness, I have only to add, That I have thought fit to prorogue this Assembly to the Second *Thursday* in *January* next, and accordingly this Assembly stands prorogued to that Time.

THE
JOURNAL
OF THE
House of BURGESSES.
AT

A General Assembly summoned to be held at the Capitol, in the City of *Williamsburg*, on the First Day of *August*, in the Ninth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. And from thence continued, by several Prorogations, to the First Day of *November*, in the Twelfth Year of His said Majesty's Reign, and in the Year of our Lord, M,DCC,XXXVIII.



WILLIAMSBURG:
Printed by WILLIAM PARKS. 1738.

THE
JOURNAL
OF
The House of BURGESSES.

Wednesday, November 1, 1738.

THE House being met, a Member return'd upon a Writ for electing a Burgess for the Borough of *Norfolk*, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

A Message from the Governor was delivered by Mr *Robertson*.

Gentlemen of the House of BurgesSES,

The Governor commands your immediate Attendance in the Council Chamber.

Accordingly the House went up, and the Governor was pleas'd to say,

Gentlemen of the House of BurgesSES,

I am sorry for the Occasion; but you must return again to your House, and proceed to the Choice of a Speaker; whom you are to present to me To-morrow, at Twelve o'Clock.

And being return'd, Mr *Corbin* put the House in Mind of the Governor's Command, to proceed to the Choice of a Speaker; and recommended *Henry Fitzhugh*, Esq; as a Gentleman properly qualified for that important Trust; which Motion was supported by Mr *Carter*, Mr *Willis*, and Mr *Hedgman*.

Mr *Harrison* mov'd, That Mr *Robinson* (of whose Abilities the House had had sufficient Experience) should take the Chair; in which Motion, Mr *Moscoe*, Mr *McCarty*, and Mr *Blair*, concurred.

Mr *Curtis* mov'd for Electing Mr *Conway*; and was seconded in his Motion by Mr *Embry*.

And after some Time spent, Mr *Robinson* was chosen Speaker; accordingly he was conducted to the Chair by Two Members: And being there placed, made a Speech to the House, expressing "The just Sense he had of the Honour the House had conferred upon him; acknowledging his particular Satisfaction in their Approbation; and declaring his Dependance upon the House, for their Advice and Assistance."

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, November 2, 1738.

THE House, in Obedience to the Governor's Commands, went up to the Council Chamber, and presented their Speaker: And the Governor was pleas'd to declare his Approbation of their Choice.

Then Mr Speaker, in Behalf of the House, petition'd the Governor, that they may enjoy their antient Rights and Privileges: Such as,

Freedom

Freedom of Speech and Debate.

Exemption from Arrests, and Protection for their Estates.

That they may have the Power over their own Members, and the sole Right of determining their own Elections.

And *lastly*, For himself, That his Mistakes may not be imputed to the House.

To which the Governor answer'd,

That he should take Care to preserve the antient Rights and Privileges of the House.

And being return'd; and the Mace laid upon the Table,

Mr Speaker reported, That the House had attended the Governor in the Council Chamber; and that he had been pleas'd to make a Speech to the Council, and this House: Which being long, he had obtained a Copy of it. Which he read, and afterwards delivered in at the Table: Where it was again read; and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,

AS the Happinefs the People of this Country enjoy, is principally derived to them from the Wisdom of their Assemblies; and you are now met to take fuitable Resolutions, not only as the Judges, how far each Inhabitant, but even your Sovereign Himself, is interest'd in your Debates; I may venture to pronounce, the Truft they have repos'd, could not be better placed, than in the Persons I am speaking to.

THAT in Societies well constituted, there should be so frequent Occasion of making new Laws, or altering old Ones, must not be looked upon altogether as an Instance of the Weakness and Fallibility of Human Judgements; but by us, rather as an Evidence of the Prudence of those temporary Establishments, to which the Changes we have hitherto undergone were limited: For, by adapting our Laws, at such different Seasons, to Circumstances that could not well be foreseen, we have gradually advanced towards the common Utility, and been led on to an Improvement, in which, with your usual Care and Caution, you may with Safety proceed.

IF this Argument is confirmed by Facts, and justified by Experience, and it be withal considered, that in a Dispute concerning the Usefulness of any Law, the Presumption is always in Favour of the Law already in Being; I am persuaded, nothing can be thrown into the other Scale, that will weigh with you, or Those who hold the Balance.

PLAIN Application I would willingly forbear: But when we have a Law that has given almost general Satisfaction both at Home and Abroad; if in such a Law, the Rich only excepted, all Orders and Degrees of Men among us have found their Account; if every Innovation induces also a Stagnation of Trade, or gives a Check to its Vigour; if, with the present State we are in, our Duty to His Majesty, and the Advantage of our Country, are apparently consenting; in a Word, if, with it we must prosper, and without it subject our selves to great Inconveniencies, not to say, inevitable Ruin: Surely, these Considerations, as they merit, will meet with your Regard, and convincingly encourage you to vote for the Continuance of a Law, teeming with such Requisites for your selves, and your latest Posterity.

I could not suppress my Thoughts, and therefore you must excuse what I anticipate with so good an Intention: Nor could I answer it to my self, if, for want of my earnest Solicitations, a Law should suffer the least Intermision, which tends so much to the Credit, and contributes so much to the Wealth, of *Virginia*.

Gentlemen of the House of Burgeffes,

The late Incurfions of the *Indians*, and the Murders they have perpetrated on the Inhabitants beyond the great Ridge of Mountains, without Question, will dispose you to take proper Methods for their future Security.

I have endeavoured to negotiate a Peace between the Northern *Indians*, under the Government of *New-York*, and the *Cattabaws* and *Cherikees*; being sensible, whilst they are at War, That Part of the Colony would be exposed to the Ravages of both Parties: But the fresh Hostilities committed by the former, leaving no Hopes of Success, the Safety of That Frontier must depend on your Councils and Assistance.

AND I have the Satisfaction to inform you, that the Act you passed the last Session, *for Confirming and better Securing the Titles to Lands in the Northern Neck*, hath received a favourable Report from the Lords Commissioners of Trade, and the Committee of His Majesty's most honourable Privy Council; and that by the first Conveyance we may expect His Majesty's Royal Approbation.

AND now, *Gentlemen*, If I have any Influence, let me entreat you to be very wary and considerate in your Resolves; left, by pursuing wrong, though well meant Measures, instead of promoting, you undermine, what we have, all of us, so much at Heart.

FOR, with recommending my sentiments to your serious Deliberations, I declare my self faithfully devoted to your Service, and ready on all Occasions, to do every thing in my Power to make you easy and happy; and zealous for the Honour and Interest of my Royal Master, I will always prefer the Good of the Public, to every other Consideration.

Resolved, That an humble Address be made to the Governor, to return him the Thanks of this House, for his affectionate Speech, and for his Trouble in obtaining a favourable Reception of the Act, *For Confirming and better Securing the Titles of Lands in the Northern Neck*: To assure him that we shall always pay the greatest Deference to his Advice, which we have, from long Experience, found constantly directed to the Public Good: To declare our Readiness to concur with him in all such Measures as shall be found necessary to preserve the Peace, and promote the Welfare of this Colony, and the Honour and Interest of our Sovereign: To express the Regard we have for him, and the Confidence we have in his Promise to do everything in his Power, to make us easy and happy.

Ordered, That a Committee be appointed to draw up an Address to the Governor, upon the said Resolution; and it is referred to Mr *Fitzhugh*, Mr *Randolph*, Mr *Carter*, Mr *Harrison*, and Mr *Willis*, to prepare and bring in the said Address.

Resolved, That this House will take the Governor's Speech into Consideration on Monday next.

Ordered, That the Committee of Privileges and Elections be revived; and consist of the following Persons:

Mr <i>Conway</i> ,	Mr <i>Fitzhugh</i> ,
Mr <i>Harrison</i> ,	Mr <i>Waring</i> ,
Mr <i>Corbin</i> ,	Mr <i>McCarty</i> ,
Mr <i>Randolph</i> ,	Mr <i>Walke</i> ,
	Mr <i>Burwell</i> , and Mr <i>Allen</i> .

And they are to meet and adjourn from Day to Day and to take into their Consideration, all such Matters as shall or may come in Question, touching Returns, Elections, and Privileges; and to report their Proceedings, with their Opinions therein, from Time to Time, to the House: And the said Committee is to have Power to send for Witneses, Persons, Papers, and Records, for their Information.

Ordered, That the Committee for Public Claims be revived; and consist of the following Persons:

Mr <i>Blair</i> ,	Mr <i>Turner</i> ,
Mr <i>Price</i> ,	Mr <i>Beverley</i> ,
Mr <i>Bowdoin</i> ,	Mr <i>Buckner</i> ,
Mr <i>Harmanson</i> ,	Mr <i>Haynes</i> ,
Mr <i>Sweney</i> ,	Mr <i>Eaton</i> ,
	Mr <i>Claiborne</i> , and Mr <i>Hedgman</i> .

And

And they are to meet and adjourn from Day to Day, and to take into their Consideration, all Public Claims which shall be presented to the House, during this Session; and to report their Proceedings, with their Opinions therein, to the House, when they have gone through the said Claims. And all Persons that have any Claims, are to deliver them to the Clerk, and he is to deliver the same to the said Committee of Course. And they are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That the Committee of Propositions and Grievances be revived; and consist of the following Persons:

Henry Fitzhugh, Esq;

<i>Mr Corbin,</i>	<i>Mr Harrison,</i>
<i>Mr Conway,</i>	<i>Mr Burwell,</i>
<i>Mr Willis,</i>	<i>Mr Digges,</i>
<i>Mr Randolph,</i>	<i>Mr Beverley,</i>
<i>Mr Walke,</i>	<i>Mr Kennon,</i>
<i>Mr Roscow,</i>	<i>Mr Berkley,</i>
<i>Mr Carter,</i>	<i>Mr Woodbridge,</i>

Mr Allen, and Mr Simmons.

And they are to meet and adjourn from Day to Day, and to take into their Consideration, all Propositions and Grievances that shall come, legally certified, to this Assembly; and report their Proceedings, with their Opinions thereupon, to the House, from Time to Time. And all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee of Course. And the said Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That the Committee for Courts of Justice be revived; and consist of the following Persons:

<i>Mr Corbin,</i>	<i>Mr Smith,</i>
<i>Mr Sweeney,</i>	<i>Mr Beverley,</i>
<i>Mr Booker,</i>	<i>Mr Eppes,</i>
<i>Mr McCarty,</i>	<i>Mr Munford,</i>
<i>Mr Macon,</i>	<i>Mr Pugh,</i>
<i>Mr Moscoe,</i>	<i>Mr Grey, and</i>
<i>Mr Aylett,</i>	<i>Mr Johnson.</i>

And they are to meet and adjourn from Day to Day, and to take into their Consideration, all Matters relating to Courts of Justice, and their Proceedings, and such other Matters, as shall, from Time to Time, be referred to them. And the Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That the Committee appointed to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, be revived; and consist of the following Persons:

<i>Mr Carter,</i>	<i>Mr Harrison,</i>
<i>Mr Fitzhugh,</i>	<i>Mr Waring, and</i>
	<i>Mr Beverley.</i>

Ordered, That the several Clerks of the said Committees be continued in their respective Offices.

Ordered, That an Address be made to the Governor, to order a new Writ to issue for Electing a Burgess to serve in this present General Assembly, for the Colledge of *William and Mary*, in the Room of *Sir John Randolph*, Knt. deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Accomack*, in the Room of *Mr Sacker Parker*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *King William*, in the Room of *Mr Cornelius Lyde*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Caroline*, in the Room of *Mr Robert Fleming*, deceased.

Also

Alfo a new Writ for Electing a Burgefs to ferve in this prefent General Affembly, for the County of *Goochland*, in the Room of Mr *Edward Scott*, deceafed.

Alfo a new Writ for Electing a Burgefs to ferve in this prefent General Affembly, for the County of *Surry*, in the Room of Mr *Thomas Edmonds*, deceafed.

Alfo a new Writ for Electing a Burgefs to ferve in this prefent General Affembly, for the County of *Charles City*, in the Room of Mr *William Acrill*, deceafed.

Alfo a new Writ for Electing a Burgefs to ferve in this prefent General Affembly, for the County of *Nanfemond*, in the Room of Mr *Lemuel Reddick*, who, fince the laft Seffion, hath accepted the Office of Sheriff.

Ordered, That the Reverend Mr *William Dawson* be appointed Chaplain to the Houfe; and that he attend to read Prayers every Morning, at Ten of the Clock.

Ordered, That *John Collett* be appointed one of the Door-keepers to this Houfe, in the Room of *John Johnson*, deceafed.

Ordered,

That the Houfe be adjourn'd 'til To-morrow Morning, Eleven o'clock.

Friday, November 3, 1738.

Ordered,

THAT an addrefs be made to the Governor, That he will be pleas'd to order the Naval Officers of *York*, *Rappahanock*, and *Potowmack*, forthwith to lay before the Houfe, Lifts of all Veffels importing Slaves, entered in their refpective Diftricts, from the Twenty Fifth Day of *April*, One Thoufand Seven Hundred and Thirty Six, to the Twenty Fifth Day of *October*, One Thoufand Seven Hundred and Thirty Eight, and of the Number of Slaves brought in, in each Veffel, and by whom imported; together with fuch Accounts of the Sales of the faid Slaves, as have been tranfmitted to them by the Importers (except thofe which have been already given in to the Treafurer;) and if any fuch Accounts have not yet been returned to them, that they procure Copies from the Factors immediately.

Ordered, That Mr *Carter*, Mr *Fitzhugh*, Mr *Harrifon*, Mr *Waring*, and Mr *Beverley*, do wait on the Governor with the faid Addrefs.

Ordered, That the Committee for Courts of Juftice, do infpect the Journal of the laft Seffion; and prepare and draw up a State of the Matters then depending and undetermined, and the Progrefs that was made therein; and report the fame to the Houfe: That they do alfo examine what Laws have expired, fince the laft Seffion, and infpect fuch temporary Laws as will expire with the End of this Seffion, or are near expiring; and report the fame to the Houfe, with their Opinion, which of them are fit to be Revived, or Continued.

A Member who was abfent the laft Seffion, having taken the Oaths appointed to be taken by Act of Parliament, inftead of the Oaths of Allegiance and Supremacy; and taken and fubfcribed the Oath of Abjuration, and alfo the Teft; and taken the Oath of a Burgefs; was admitted to his Place in the Houfe.

A Petition of Mr *Benjamin Harrifon*, a Member of this Houfe, was prefented to the Houfe, and read; fetting forth, That his late Father being Treafurer of the Duties upon Liquors and Slaves, there was due to the Country, for the Ballance of his Account, at the Time of his Death, One Thoufand Eight Hundred and Seventy Pounds Ten Shillings; which, by fome *Refolve*, or *Order*, of Affembly, *Elizabeth Harrifon* was ordered to pay in *Sterling*; except fo much as fhe fhould make Oath, before the Lieutenant-Governor, fhe found in Specie, at the Time of her Husband's Deceafe, or had come to her Hands fince, which fhe believ'd to have grown due upon Account of the Imposition upon Liquors and Slaves; which was to be paid at the Rate of Sixteen Penny Weight and an Half for Five Shillings: But the faid Ballance was almoft all paid, at the Rate of Eighteen Penny Weight, tho' the faid Duties were paid into the Treafury, in Foreign Coin, at
the

the then Current Rates. That by the Difference between the Value of the money paid into the Treasury, and the Rate at which the said Balance was paid, he is a Sufferer, to the Value of Three Hundred and Seventy Pounds: And praying the Consideration of the House therein, and such Relief as to them shall seem meet.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, November 4, 1738.

Ordered,

THAT Mr *Harrison* be heard by his Counsel, before the Committee for Public Claims, upon the subject Matter of his Petition, Yesterday preferred to the House, if he thinks fit.

Mr *Turner* moved for leave to present a Petition of sundry Inhabitants of the County of *King George*, for erecting a Ferry from *James Hackly's* Landing, in the said County, to the Land of Col. *Gavin Corbin*, in the County of *Caroline*; which had not been preferred to the Court held, for receiving and certifying Propositions and Grievances, and Public Claims, in the said County of *King George*.

And the Question being put, That the said Petition be brought up to the Table?

Resolved in the Affirmative.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Carter* mov'd for Leave to bring in a Bill, for Removing the Seat of Government, to a more convenient Place; and a Debate arose thereupon,

Resolved, That this House will take the said Motion into Consideration, on *Wednesday* Se'nnight.

Mr *Fitzhugh* reported, That the Persons appointed, had, according to Order, prepared an Address to the Governor; which he read in his Place, and afterwards delivered in at the Table; where the same was again twice read, and agreed to by the House, without any Amendment, as followeth:

SIR,

WE, His Majesty's most dutiful and loyal Subjects, the Burgeffes of the Colony and Dominion of *Virginia*, met in a General Assembly, full of grateful Sentiments for the favourable Opinion You are pleas'd to entertain of the Representative Body of the People of this Colony, expressed in Your kind and affectionate Speech to the Council, and this House, humbly desire to return our unfeigned Thanks for the same, as well as for the Pains and Trouble You have taken, in obtaining a favourable Reception to the Act passed the last Session, *For Confirming and better Securing the Titles to Lands in the Northern Neck*: A law, tho' not of universal Concern, yet affecting a very large and considerable Part of the Inhabitants of *Virginia*; and by which, the Proprietors of those Lands, before under Doubts and Apprehensions concerning their Titles, will have their Estates secured to them, and their Posterity. Those who more immediately reap the Benefit of this equitable Law, must confess, that however well disposed their Country was to relieve them, it is to the Interposition of Your good Offices, they will be indebted for the Sanction of His Majesty's Royal Approbation; which alone can effectually secure them in the quiet Enjoyment of their Rights. And as this Reflection must raise in them suitable Sentiments of Gratitude and Acknowledgment, so it serves, at the same Time, to convince us, that amidst Your unwearied Endeavours for the General Good, You do not think the Interest of Particulars unworthy Your Care and Concern.

THE

THE long and happy Experience we have had, of Your juſt and upright Adminiſtration; the conſtant Courſe of Your Conduſt; and the Readineſs You have ſhewn upon all Occaſions, to promote the Good and Welfare of this Colony, lay us under the ſtrongeſt Obligations, to pay the utmoſt Deference and Regard to Your Advice; which, it would be the higheſt Ingratitude not to own, we have always found directed to the Public Good.

AND, we beg Leave to assure You, That we will moſt heartily and zealouſly concur with You, in all ſuch Meaſures, as may conduce to the Honour and Intereſt of Our moſt Gracious Sovereign; to the Preſervation of this Colony; and to the Security, Happineſs, and Proſperity of the People we repreſent. Theſe great and good Ends, we may hope, in ſome Meaſure, to effect, by propoſing You as our Pattern and Example; and by purſuing Your wiſe and wholeſome Counſel, to be wary and conſiderate in all our Reſolves.

PERMIT us, Sir, in the Name of the whole People of this Colony, to give You the ſtrongeſt Affurances of our Duty and Regard, and of the Confidence we place in Your Promiſes, to do every thing in Your Power to make us eaſy and happy: It would be indeed unpardonable to doubt of it, after the many and repeated Inſtances You have given of Your Kindneſs and Affection, through the whole Courſe of Your Adminiſtration. May You long continue to govern a happy and contented People.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered, That the Committee, who prepared the ſame, do wait on the Governor, to know his Pleaſure when the Houſe ſhall preſent it.

Ordered, That the Houſe be adjourned 'til *Monday Morning*, Eleven o'Clock.

Monday, November 6, 1738.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy; and taken and ſubſcribed the Oath of Abjuration, and ſubſcribed the Teſt; and taken the Oath of a Burgeſs; was admitted to his Place in the Houſe.

Mr *Fitzhugh* reported, That the Perſons appointed, had, according to Order, waited on the Governor, to know his Pleaſure when the Houſe ſhould attend him with their Addreſs: And that he was pleaſed to appoint this Day; and to ſay, he would ſend a Meſſage to the Houſe, when he was ready to receive it.

A Petition of *John Carter*, Eſq; was preſented to the Houſe, and read; ſetting forth, That a Negro Woman Slave of the Petitioner's, being run away, was endeavouring to make her Eſcape by Water, in a Canoe; and being cloſely purſued, threw herſelf into the Water, to avoid being taken, and was drowned. That a Negro Man Slave of the ſaid Petitioner's, was killed by another Slave belonging to *John Steptoe*; for which Faſt, the ſaid *Steptoe*'s Slave was condemn'd and executed: And praying the Conſideration of the Houſe in the Premiſes; and that ſuch Reparation may be made, for his ſaid ſeveral Loſſes, as to the Houſe ſhall ſeem reaſonable.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee for Public Claims; and that they do examine the Matter thereof; and report the ſame, as it ſhall appear to them, with their Opinion thereupon, to the Houſe.

Ordered, That Mr Attorney-General, and Mr *Preſly*, be added to the Committee of Propoſitions and Grievances.

Ordered, That Mr Attorney-General be added to the Committee of Privileges and Elections.

Ordered, That Mr *George Ball*, Mr *James Ball*, Mr *Scarburgh*, Mr *Westwood*, and Mr *Aylett*, be added to the Committee for Public Claims.

A Message from the Governor, was delivered by Mr *Robertson*:

Mr *Speaker*,

I am commanded by the Governor to acquaint this House, That his Honour is now ready to receive your Address in the Council Chamber;

Accordingly Mr *Speaker*, with the House, went up; and being returned, Mr *Speaker* reported, That he had, with the House, attended the Governor in the Council Chamber, and presented their Address; to which he was pleas'd to give the following Answer:

Mr *Speaker*, and Gentlemen of the House of Burgesses,

I THANK you for this very kind Address: Your Zeal for the Honour and Interest of our Most Gracious Sovereign, the Satisfaction you express in my Administration, and the Assurance you give me of your Regard to my Advice, leave me no Room to doubt, but that, thinking my Example worthy of your Imitation, you will pursue those Measures, upon which, Experience hath taught us, a successful Trade for your Mother Country, and the Prosperity of your own, so much depend.

And you may, at all Times, rely upon my Endeavours to secure the just Rights of any Part, as well as to promote the true Advantage of the Whole Body; with this Confidence, that if it were in my power, I would give you more essential Tokens of my Esteem.

A Petition of *Robert Cobbs*, was presented to the House, and read; representing his Poverty and Misfortune, in the Loss of his only Negro Man, who hanged himself: And praying the Relief of the House.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Dennis McCarty*, was presented to the House, and read; praying, that Leave may be given to bring in a Bill, to dock the Entail of Five Hundred Acres of Land, in the Parish of *Lunenburg*, in the County of *Richmond*; and for settling other Lands, of greater Value, in the County of *Prince William*, to the same Uses.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that Mr *Conway*, Mr *Woodbridge*, Mr *Valentine Peyton*, and Mr *Hedgman*, prepare and bring in the same.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, a Proposition from the County of *Lancaster*, for Confining of Sheep.

Also a Petition of divers Inhabitants of *Prince William* County, for a Ferry across *Potowmack* River to *Maryland*. And a Petition of *William Pride*, for a Ferry from his Landing in *Henrico* County, across *Appamattox* River; and were come to several Resolutions thereupon; which he read in his Place, and afterwards delivered the Report in at the Table: Where it was again read, as follows:

The Committee of Propositions and Grievances have had under their Consideration, a Proposition from the County of *Lancaster*, for Confining of Sheep, from the Beginning of *June*, to the Last of *September*; and have come to the following Resolution.

Resolved, That it is the Opinion of this Committee, That the said Proposition is reasonable; except as to the Frontier Counties.

They have also had under their Consideration, a Petition of divers of the Inhabitants of *Prince William* County, praying, That a new Ferry may be appointed across *Potowmack* River, from the Plantation of *Francis Aubrey*, to *Maryland*: As also a Petition of *William Pride*, praying, That a new Ferry may be appointed, from his Landing in *Henrico* County, called the Store Landing, across *Appamattox*, to *Anthony's* Landing; and also from the said Store Landing, over the Mouth of *Porfies Stile Creek*, to the Land of *Peter Baugh*; and have come to a Resolution thereupon, as follows:

Resolved, That it is the Opinion of this Committee, That the appointing Public Ferries at the Places aforesaid, will be convenient for Travellers.

Then

Then the first of the said Resolutions being read a second Time; and the Question put, That the House agree to the said Resolution?

It passed in the Negative.

Resolved, That the Proposition from the County of *Lancaster*, for Confining of Sheep, from the Beginning of *June*, to the Last of *September*, be rejected.

Then the other of the said Resolutions was read; and upon the Question put, agreed to by the House, as follows:

Resolved, That a new Ferry be appointed across *Potowmack* River, from the Plantation of *Francis Awbrey*, to *Maryland*: Also a new Ferry from *William Pride's* Landing, in *Henrico* County, called the Store Landing, across *Appamattox* River, to *Anthony's* Landing; and from the said Store Landing, over the Mouth of *Porfies Stile Creek*, to the Land of *Peter Baugh*.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution; and that the Committee of Propositions and Grievances, prepare and bring in the same.

Mr Carter mov'd for Leave to bring in a Bill, for the better Regulation of the Militia.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that *Mr Carter*, *Mr Harrifon*, *Mr Fitzhugh*, *Mr McCarty*, *Mr Randolph*, *Mr Aylett*, *Mr Digges*, *Mr Turner*, and *Mr Macon*, do prepare and bring in the same.

Mr Conway mov'd for Leave to present a Proposition, subscribed by several Persons, said to be Inhabitants of the County of *Lancaster*, for Repealing the Laws now in Force, *For Amending the Staple of Tobacco*: Which said Proposition had not been preferred to the Court, held for receiving and certifying Propositions and Grievances, and Public Claims in the said County.

And the Question being put, That the said Proposition be brought to the Table? It passed in the Negative.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, to consider the Governor's Speech: And after some Time spent therein, *Mr Speaker* resumed the Chair; and *Mr Fitzhugh* reported, from the Committee, That they had had the Governor's Speech under their Consideration; and made some Progress therein: But not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider further of the Governor's Speech To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, November 7, 1738.

A Petition of *Peter Hay*, in Behalf of himself, *Philip Johnson*, and *Oriana Littlepage*, was presented to the House, and read; setting forth, That a Negro Man Slave, belonging to the Estate of *William Johnson*, deceased, being committed for Felony, and thereof acquitted, by a long Confinement in Prison, became so exceedingly Frost-bitten, that a Mortification ensued, whereof he died: And praying the Consideration of the House therein.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon to the House.

Mr Corbin, from the Committee for Courts of Justice, reported, That the Committee had, according to Order, inspected the Journal of last Session, and prepared and drawn up a State of the Matters then depending and undetermined, and the Progress that was made therein: And he read the Report in his Place, and afterwards delivered it in at the Table.

Mr Corbin, from the said Committee, also reported, That the Committee had, according to Order, examined what Laws have expired since the last Session of Assembly, and inspected such temporary Laws, as will expire with, or soon after the End of this Session; and had come to several Resolutions thereupon: Which he read in his Place, and afterwards delivered in at the Table.

Ordered, That the said several Reports do lie on the Table, to be perused by the Members of the House.

A Petition of *Mr Peter Bowdoin*, and *Mr Henry Scarborough*, was presented to the House, and read; setting forth, That they served as Burgeesses in the last Session of Assembly, for the Counties of *Northampton*, and *Accomack*, respectively; and exhibited Accounts for their Attendance, and for Sloop Hire, at the Rates those Allowances had been before settled: But the late Treasurer conceiving, that the Allowance for Sloop Hire, was altered by an Act passed the same Session, they were paid only Fifty Shillings each, for Fifty Eight Days Hire of Two Sloops and Hands by them employ'd: And praying such Relief, as to the House shall seem reasonable.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Fitzhugh, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, a Petition of divers of the Inhabitants of the Parishes of *Southwark* and *Lawn's Creek*, in the County of *Surry*, for Dividing the said Parishes; and had come to a Resolution thereupon: Which he read in his Place, and afterwards delivered the Report in at the Table; where it was again read, and agreed to by the House, as follows:

Resolved, That the said Parishes of *Southwark*, and *Lawn's Creek*, be divided by *Black-water River*; and that those Parts thereof lying on the South Side of the said River, be united and erected into one distinct Parish; and those Parts of the North Side of the said River united and erected into one other distinct Parish.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution; and that the Committee of Propositions and Grievances, prepare and bring in the same.

A Petition of *Mr William Ball*, was presented to the House, and read; praying an Allowance of One Pound Sixteen Shillings and Five Pence Half Penny; the Ballance remaining due upon his Account, as an Inspector, in the Year 1732, which *John Holloway*, Esq; then Treasurer, refused to pay.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Thomas Porter* and *Howsen Hoe*, was presented to the House, and read, setting forth, That they became bound together with one *Joshua Davis*, to *John Lee*, Gent. Sheriff of the County of *Stafford*, for the said *Davis's* faithful Execution of the Office of Under Sheriff of the said County; and for indemnifying the said *Lee* from Escapes: That Judgment has been obtained by the said *John Lee*, against the Petitioners, and the said *Joshua*, upon several Breaches of the Condition of their Bond, for One Hundred and Thirty Pounds and upwards, a very great Part of which the Petitioners have been obliged to pay, to their great Impoverishment; and other Breaches being assign'd, upon which further Sums of Money must be recovered, the Petitioners will be rendered incapable to support themselves and their Families; and praying the Consideration of the House, and such Relief as to them shall seem reasonable.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims; that they do examine the Matter thereof, and report the same as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That *Mr Pugh* have Leave to be absent from the Service of the House, till Friday next.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Governor's Speech; and after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported from the Committee, That they had had the Governor's Speech under their Consideration, and gone thro' it; and were come to several Resolutions thereupon; which he was ready to report, when the House would please to receive the same.

Ordered, That the Report be made To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, November 8, 1738.

A Petition of *John Grymes*, Esq; for and in Behalf of *Philip Ludwell*, with a Certificate thereunto annexed, was presented to the House, and read; praying, that an Allowance may be made the said *Philip*, for Seven Hogheads of Tobacco, that were almost totally destroy'd in *Falmouth* Warehouse, by a Fresh.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Thomas Lankford*, in Behalf of himself, and *Rebecca Collier*, was presented to the House, and read; praying an Allowance for a Slave, given by the Will of *John Collier*, to the said *Rebecca*, for her Life, and after her Decease, to the Wife of the Petitioner; who being outlaw'd, to prevent being taken, leaped from on board a Ship into the River, and drowned himself.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of Mr *John Allen*, a Member of this House, was presented to the House, and read; setting forth, That by an Act passed in the Fourth Year of the Reign of the late Queen *Anne*, For Regulation and Settlement of Ferries, and for Dispatch of Public Expresses, a Ferry was appointed to be kept at the Mouth of *Upper Chipocks* Creek, over to the *Row*, or *Martins-Brandon*; which has been disused upwards of Twenty Years; nevertheless the Petitioner is obliged to keep open a Road to the said Creek's Mouth, where the Ferry is appointed to be kept, to his great Loss and Damage; and praying, that the said Ferry may be Repealed; or, if Continued, that it may be appointed to be kept from *Lewis Delony's* Landing, or from another Part of the Petitioner's Land, called the *Ship-wreck* Landing.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Adam Reade*, was presented to the House, and read; praying an Allowance may be made him, for Two Hogheads of Tobacco drowned in *Falmouth* Warehouse, by a great Fresh.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Carter* reported, That the Persons appointed, had, according to Order, addressed the Governor to order the Naval Officers of *York*, *Rappahanock*, and *Potowmack*, forthwith to lay before the House, Lists of all Vessels importing Slaves, entred in their respective Districts, from the Twenty Fifth Day of *April*, One Thousand Seven Hundred and Thirty Six, to the Twenty Fifth Day of *October*, One Thousand Seven Hundred and Thirty

Thirty Eight, and of the Number of Slaves brought in, in each Veffel, and by whom imported; together with fuch Accounts of the Sales of the faid Slaves, as have been tranfmitted to them by the Importers (except thofe which have been already given into the Treafurer;) and if any fuch Accounts have not yet been returned to them, that they procure Copies from the Factors immediately: And that he had been pleaded to give his Orders accordingly.

A Petition of *Henry Power*, and *Samuel Cobbs*, Truftees appointed by an Aët of the General Affembly, paffed in the Fifth and Sixth Years of His prefent Majefty's Reign, to enable *Thomas Bray*, Gent. to fell certain entailed Lands therein mentioned; and to lay out the Purchase Money in Slaves, to be annexed to the other entailed Lands therein alfo mentioned, was prefented to the Houfe, and read; fetting forth, That they apprehend the faid *Thomas Bray* has received near the Sum of Two Thoufand Pounds for Lands by him fold, by Virtue of the faid Aët; and that they do not know that any Slaves have been annexed to the other entailed Lands, purfuant thereunto: And praying the Confideration of the Houfe therein.

Ordered, That a Committee be appointed to enquire what Lands have been fold, by Virtue of the faid Aët, and how much the whole Purchase Money amounts to; and whether any Slaves, and to what Value, have been fettled to the Ufes of the other entailed Lands, purfuant to the faid Aët; and that they report the Matter, as it fhall appear to them, to the Houfe.

And a Committee was appointed accordingly, of the following Perfons: Mr *Attorney-General*, Mr *Randolph*, Mr *Burwell*, Mr *Eaton*, and Mr *Buckner*: And they are to have Power to examine Mr *Bray*, in the moft folemn Manner, and to fend for Perfons, Papers, and Records, for their In[for]mation.

Ordered, That it be an In[for]mation to the Committee for Public Claims, to allow the Claim of *Fortunatus Sydner*, for taking up a Runaway, upon fufficient Proof made before them.

Mr *Fitzhugh* reported the Refolutions of the Committee of the whole Houfe, upon the Governor's Speech; which he read in his Place: And afterwards delivered in at the Table; where the firft Refolution was again read, as follows.

Refolved, It is the Opinion of this Committee, That the Aët, *For Amending the Staple of Tobacco; and for preventing Frauds in His Majefty's Customs*, made in the Third and Fourth, and the feveral Aëts made in the Fifth and Sixth, the Eighth and Tenth of His faid Majefty's Reign, *For Continuing and Amending* the faid firft mentioned Aët, have, in a great Meafure, answered the good Ends and Purpofes thereof; and if continued, with fome further Alterations and Amendments, will ftill be a greater Encouragement, as well to all Traders in Tobacco, as to the Planters.

And a Motion being made, to put off the Confideration of the faid Refolution,

Refolved, That this Houfe will take the faid Refolution into Confideration, on *Tuesday* Sevensnight.

Ordered, That the Houfe be then called over.

Refolved, That this Houfe will proceed againft fuch Members as fhall be then abfent, with the utmoft Severity.

Then the other of the faid Refolutions was read, and agreed to by the Houfe, as follows:

Refolved, That Provifion be made, for the Security and Encouragement of the Inhabitants beyond the great Ridge of Mountains.

Ordered, That Leave be given to bring in a Bill, according to the faid Refolution; and that the Committee of Propofitions and Grievances, prepare and bring in the fame.

Ordered, That the feveral Petitions of the Inhabitants living on the Head Springs of *Sherrando*; of the Inhabitants of *Beverley Manor*; of the Inhabitants of *Opekkon*, and *Cohongorooton*, and the Inhabitants of *Maffenottin*; referred by the Council, to the Confideration of this Houfe, be referred to the Confideration of the faid Committee.

The

The Claim of *Thomas Spencer*, for taking up a Runaway Slave, therein mentioned, was presented to the House, and received.

Ordered, That the same be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Harrison moved, That the Money in Col. *Spotswood's* Hands, appropriated for the Buying of Arms for the County of *Brunswick*, should be paid to some Person whom the House should approve of, to be applied to the Use for which it was appropriated.

And *Mr Attorney-General* acquainted the House, That he had obtained a Judgment against Col. *Spotswood* for that Money; and desired to know their Pleasure, in Respect to any further Proceedings to be had thereupon.

Then a Motion was made, to put off the Consideration of the said Motion; and the Question was put, That the said Motion be immediately considered?

It passed in the Negative.

Resolved, That this House will take the said Motion into Consideration on *Friday* next.

Resolved, *Nemine Contradicente*, That unless Col. *Spotswood* pays the said Judgment, by the End of this Session, that Execution be sued out thereupon.

Mr Fitzhugh, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration several other Propositions from several Counties to them referred; and had come to divers Resolutions thereupon; which he read in his Place: And afterwards delivered the Report in at the Table; where it was again read, as follows:

It being proposed, from the County of *Effex*, That Convicts be tried by a Jury of the By-Standers, without the Expence of a Jury from the County where the Offence was committed.

Resolved, That it is the Opinion of this Committee, That the Law be altered accordingly: And that it may be better known who are Convicts, all Masters of Ships and Vessels importing them into this Colony, be obliged to lodge a Certificate or Copy of their Conviction, with the Naval Officers, at the Time of their Entering such Ships and Vessels.

It being proposed, from the County of *Spotsylvania*, That a white Overfeer, or other white Person, be constantly kept at every Negro Quarter:

Resolved, That it is the Opinion of the Committee, That the said Proposition be rejected.

It being likewise proposed, from the said County of *Spotsylvania*, That the Law be altered concerning Strays:

Resolved, That it is the Opinion of the Committee, that the said Proposition be rejected.

It being also proposed, from the said County of *Spotsylvania*, That Insolvent Debtors be Sold:

Resolved, That it is the Opinion of the Committee, that the said Proposition be rejected.

It being likewise proposed, from the said County of *Spotsylvania*, That the Method of proving Accounts and Book-Debts, be altered; and the Time limited to sue for them, lengthened:

Resolved, That it is the Opinion of the Committee, that the said Proposition be rejected.

It being also proposed, from the said County of *Spotsylvania*, That the Law concerning Executions, be altered:

Resolved, That it is the Opinion of the Committee, that no Execution be awarded against the Body of any Debtor, for any Debt recovered out of Court, before a Justice of the Peace.

It being likewise propofed, from the faid County of *Spotsylvania*, That the Method of Collecting and making Distrefs for Levies and Officers Fees, be altered :

Resolved, That it is the Opinion of the Committee, that the faid Propofition be rejected.

And it being alfo propofed, from the faid County of *Spotsylvania*, to alter the Law concerning the Levying Executions, and making Distrefs for Tobacco :

Resolved, That it is the Opinion of the Committee, that the faid Propofition be rejected.

Then the firft of the faid Refolutions was read a fecond Time ; and agreed to, by the Houfe, as follows :

Resolved, That Convicts be try'd by a Jury of the By-Standers ; without the expence of a Jury from the County where the Offence was committed : And that all Mafters of Ships and Veffels importing them into this Colony, be obliged to lodge a Certificate or Copy of their Conviction, with the Naval Officers, at the Time of their Enttring fuch Ships and Veffels.

Ordered, That Leave be given to bring in a Bill, according to the faid Refolution ; and that the Committee of Propofitions and Grievances, prepare and bring in the fame.

The fecond of the faid Refolutions being alfo read, a Motion was made to put off the further Confideration of the faid Report.

Ordered, That the further Confideration of the faid Report, be put off 'til the Houfe fhall call for it.

Mr *Curtis* mov'd for Leave to bring in a Bill, *For Amending the Act* made in the Fourth Year of the Reign of the late Queen *Anne*, intituled, *An Act concerning Tiithables*.

Ordered, That Leave be given to bring in a Bill, according to the faid Motion : And that Mr *Conway*, and Mr *Curtis*, prepare and bring in the fame.

The Houfe proceeded to the Confideration of the Report from the Committee for Courts of Juftice, touching fuch Matters as were depending, and undetermined the laft Seflion, and the Progreffs that was made therein : And the fame was twice read, and thereupon,

Ordered, That the Propofitions from the Counties of *Hanover* and *Goochland*, for the Division of the faid County of *Hanover*, and erecting the Upper Part of the fame, together with part of the faid County of *Goochland*, into a new County, referred to the Confideration of the Committee of Propofitions and Grievances, be again referred to the faid Committee : That they do examine the Matter thereof ; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

Ordered, That the Propofition from the County of *Caroline*, of divers of the Freeholders and other Inhabitants of the Parifh of *St. Margaret*, for the Division of that Parifh and the Parifh of *Dryfdale*, and for erecting the Upper Parts of the fame, into one diftinct Parifh ; referred to the Confideration of the Committee of Propofitions and Grievances, be again referred to the faid Committee : That they do examine the Matter thereof ; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

Ordered, That Leave be given to bring in a Bill, according to the Order of the laft Seflion, for allowing Fairs to be kept in the Town of *Frederickburg*.

Ordered, That leave be given to bring in a Bill, according to the Order of the laft Seflion, to prevent Wafte and Dilapidations upon Glebe Lands : And that Mr *Attorney-General*, Mr *Mofcoe*, and Mr *Fitzhugh*, prepare and bring in the fame.

Resolved, That this Houfe will take the Motion into Confideration, made the laft Seflion, for Leave to bring in a Bill, for laying out a Peice of Ground, at a Place called *Bray's Church*, in the County of *King George*, for a Town.

Ordered, That the Propofition from the County of *Richmond*, for fettling the Bounds between that County, and the Counties of *Westmoreland*, and *King George*, referred to the Confideration of the Committee of Propofitions and Grievances, be again referred to
the

the said Committee: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House also proceeded to the Consideration of the Report from the Committee for Courts of Justice, touching such Laws as have expired since the last Session, and such temporary Laws as will expire with, or soon after the End of this Session of Assembly: And the resolutions of the said Committee were read, as follows:

Resolved, That it is the Opinion of this Committee, That the Act, for *Continuing the Act*, intituled, *An Act, for laying a Duty on Liquors*; which will expire the Last Day of July, 1740, ought to be further Continued.

Resolved, That it is the Opinion of this Committee, That the Act, for *Continuing the Act*, intituled, *An Act, for laying a Duty upon Slaves, to be paid by the Buyers*; which will expire the First Day of July, 1740, ought to be further Continued.

Resolved, That it is the Opinion of this Committee, That the Act, for *further Continuing the Act, for making more effectual Provision against Invasions and Insurrections*; which expired the Thirtieth Day of March, 1738, ought to be Revived.

Resolved, That it is the Opinion of this Committee, That the Act, for *better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*; which will expire with the End of this Session of Assembly, ought to be Continued, with Amendments.

Resolved, That it is the Opinion of this Committee, That the Act, for *Regulating the Fees and Accounts of the Practicers in Physick*; which will expire with the End of this Session of Assembly, ought to be further Continued.

And the first of the said Resolutions being read a Second Time; after a Debate, the Question being put thereupon, was agreed to by the House, as follows:

Resolved, That the Act for Continuing the Act, intituled, *An Act, for laying a Duty upon Liquors*, be further Continued.

The Second of the said Resolutions being also read, was, upon the Question put, agreed to by the House, with an Amendment, as follows:

Resolved, That the Act for Continuing the Act, intituled, *An Act, for laying a Duty upon Slaves, to be paid by the Buyers*; be further Continued, with Amendments.

Ordered, That Leave be given, to bring in one or more Bill or Bills, according to the said Resolutions: And that the Committee, to whom it is referred to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof; prepare and bring in the same.

Ordered, That the further Consideration of the said Report be put off, 'til the House shall call for it.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Thursday, November 9, 1738.

MR. *Hedgman* moved for Leave to present a Petition of fundry Subscribers, said to be Inhabitants of *Prince William County*, for a Division of the said County, which had not been preferred to the Court held for Receiving and Certifying Propositions and Grievances, and Public Claims, in the said County.

And the Question being put, That the said Petition be brought to the Table?

It passed in the Negative.

Mr *Carter* presented to the House, according to Order, a Bill *For the better Regulation of the Militia*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *Ralph Wormley*, Esq; was presented to the House, and read; setting forth, That the Petitioner's Father, *John Wormley*, Esq; deceased, was seised of a very valuable Estate in Land, in the County of *Middlesex*; of Five Hundred Acres of Land, or thereabouts, in the County of *Caroline*; and of the reversion of a Tract of Land, in the County of *King George*, containing Two Thousand Two Hundred Acres, or thereabouts, expectant upon the Death of *Elizabeth Lomax*, Widow; and possessed of a large Number of Slaves, and some Personal Estate: And by his Will, devised to his Wife *Elizabeth*, one Half of his Real Estate, and a Child's Part of his Personal Estate, so long as she remained a Widow; and gave to his Daughter *Elizabeth*, Eight Hundred Pounds *Sterling*; to his Daughters *Sarah*, *Judith*, and *Agatha*, Five Hundred Pounds a Piece; to be paid at their respective Ages of Twenty One Years: And directed, that his said Daughters should be maintained out of his Estate given to the Petitioner, 'til they should be arrived to the Age of Twenty One Years, or be married: And directed, that his Son *John* should be sent to *England*, and maintained out of the Profits of his Estate, given to the Petitioner, 'til he arrived to the Age of Twenty One Years: And after he arrived to that Age, he devised to him an Annuity of One Hundred Pounds *Sterling*, to be paid out of the Estate devised to the Petitioner; and devised all his Real Estate to the Petitioner, in Tail Male. That the Petitioner's Father was indebted more than his Personal Estate amounted to; and great Part of his Debts have been paid, and the Petitioner's Brother and Sisters maintained out of the Profits of the Testator's Real Estate: But the Portions devised to the Testator's Daughters, are not yet paid, nor is the Petitioner able to pay the same, but by Sale of the Slaves devised to him; which will not only impoverish the Petitioner, and his Family, by rendering his Lands of little or no Value, but in a great Measure defeat the Provision made by the Testator for his younger Son *John*. That the Petitioner is advised, his Father had only an Estate Tail, in the Lands before-mentioned; nevertheless, the Petitioner is willing and desirous that the Will of his said Father, as to the Provision he has made for his younger Children, should be fulfilled; which cannot be done, but by selling his Slaves, and impoverishing his own Family; unless he is enabled to dispose of Part of the entailed Lands herein before-mentioned. And praying, that Leave may be given to bring in a Bill, to dock the Entail of the said Five Hundred Acres of Land, in the County of *Caroline*, and of the Reversion of the said Two Thousand Two Hundred Acres of Land, in the County of *King George*.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Attorney-General*, Mr *Conway*, Mr *Berkley*, and Mr *Price*, prepare and bring in the same.

The House resumed the Consideration of the Report from the Committee for Courts of Justice, touching such Laws as have expired since the last Session, and such temporary Laws as will expire with, or soon after the End of this Session of Assembly: And the other Resolutions of the Committee were read; and upon the Question severally put, the last of the said Resolutions was disagreed to, and the rest agreed to, by the House, as follows:

Resolved, That Leave be given to bring in a Bill, to Revive the Act, for making more effectual Provision against Invasions and Insurrections.

Resolved, That Leave be given to bring in a Bill, for Continuing the Act, for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned; with Amendments.

Ordered, That the Committee for Courts of Justice, prepare and bring in the said Bills.

Ordered, That Mr *Westwood* be added to the Committee for Courts of Justice.

A Motion being made,

Ordered, That Mr *Dennis McCarty* have Leave to withdraw his Petition, preferred to this House at the last Session, complaining of an undue Election and Return of Mr *Peter Hedgman*, to serve as a Burgess, in this present General Assembly, for the County of *Prince William*.

A Petition of Mr *Richard Randolph*, a Member of this House, was presented to the House, and read; praying an Allowance for a Slave committed to the County Goal, on Suspicion of Felony, who set fire to the Prison, and was burnt to Death.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, November 10, 1738.

A Motion being made,

Ordered, That Mr *Benjamin Harrison* have Leave to withdraw his Petition, referred by the House to the Consideration of the Committee for Public Claims: And that the said Committee be discharged from proceeding further on the said Petition.

A Petition of *James Reid*, the Proprietor of the Public Warehouse at *Urbanna*, was presented to the House, and read; praying, the Consideration of the House, in Respect to the Expence he has been at, in making a Plank Floor in his said Warehouse, and the Loss he has sustained, by the reducing the Rent thereof.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Motion being made, That it may be an Instruction to the Committee to whom it is referred, to prepare and bring in a Bill, for appointing several Ferries, That they have Power to receive a Clause or Clauses, for appointing a Ferry from the Land of *John Procter*, deceased, in the County of *Isle of Wight*, over *Black-water* River, to the Land of *Robert Lancaster*, in the same County: And the Question being put thereupon, It passed in the Negative.

A Petition of *Southey Rew*, was presented to the House, and read; praying to be allowed for his Attendance, as a Witness in the King's Suit, against *William Andrews*, prosecuted in the General Court.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Motion, That the Money in Col. *Spotswood's* Hands, appropriated for the Buying of Arms for the County of *Brunswick*, might be paid to some Person, whom the House should approve of, to be applied to the Use for which it was so appropriated.

And after a Debate, the Question was put, that the said Money be applied to the Buying of Arms for the County of *Brunswick*? It passed in the Negative.

Then a Motion was made, That the same be paid to the Justices of the said County, to be by them apply'd, according to their Discretion, towards lessening the Levy by the Poll: And a Debate arose thereupon,

Resolved, That the Money remaining in the Hands of Col. *Spotswood*, be paid to the Vestry of the Parish of St. *Andrew*, in the said County of *Brunswick*, to be applied by the said Vestry, towards the purchasing a Glebe for the said Parish, and for other Parochial Uses; and accounted for, to the General Assembly.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution: And that Mr *Conway*, Mr *Wall*, and Mr *Embry*, prepare and bring in the same.

A Motion being made, That Mr *Attorney-General* be allowed the Sum of Ten Pounds, for carrying on the Prosecution against Col. *Spotswood*.

A Member moved, That the said Allowance might be deducted out of the Money recovered: And the Question put thereupon? It passed in the Negative.

Resolved, That the Sum of Ten Pounds be paid to Mr *Attorney-General*, for carrying on the said Prosecution; And that it be paid out of the Money, in the Hands of the Treasurer.

Ordered, That it be an Instruction to the Committee for Public Claims, to make the said Allowance in the Book of Claims.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, a Petition of fundry Inhabitants of the County of *King George*, to them referred, praying, That a Public Ferry may be appointed from the Land of *James Hackley*, in the said County, across the River, to the Land of Col. *Gawin Corbin*, in the County of *Caroline*: And had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table; where it was again read, and agreed to, by the House, as follows:

Resolved, That the appointing a Public Ferry at the Place afore said, will be convenient for Travellers.

Ordered, That it be an Instruction to the Committee to whom it is referred, to prepare and bring in a Bill, for appointing several Ferries; that they have Power to receive a Clause or Clauses, for appointing a Public Ferry, from the Land of *James Hackley*, in the County of *King George*, to the Land of Col. *Gawin Corbin*, in the County of *Caroline*.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, the several Petitions of *Thomas Lankford*, *John Carter*, Esq; and of *Peter Bowdoin*, and *Henry Scarburgh*, to them referred: And had come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table: Where the Resolutions were again read; and with an Amendment to one of them, agreed to, by the House, as follows:

Resolved, That the Sum of Thirty Pounds Current Money be allowed to *Thomas Lankford*, for a Slave; who being outlawed, and discovered on board a Ship, leaped over-board, and was drowned.

Resolved, That the Sum of Twelve Pounds and Eighteen Shillings, be paid to *Peter Bowdoin*, and *Henry Scarburgh*, respectively, for Sloop Hire, during the last Session of Assembly.

Resolved, That the Petition of *John Carter*, Esq; to be allowed for Two Slaves, therein mentioned, be rejected.

Ordered, That it be an Instruction to the said Committee to make the said several Allowances to *Thomas Lankford*, *Peter Bowdoin*, and *Henry Scarburgh*, in the Book of Claims.

Ordered, That Mr *Benjamin Waller* be admitted an Assistant to Mr *Matthew Kemp*, as Clerk of the Committee of Propositions and Grievances.

Ordered, That Mr *Randolph*, and Mr *Harri son*, have Leave to be absent from the Service of the House, 'til *Monday* next.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, November 11, 1738.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgeiss; was admitted to his Place in the House.

Mr *McCarty* mov'd for Leave to bring in a Bill, for Laying out a Piece of Ground, at a Place called *Bray's Church*, in the County of *King George*, for a Town.

Ordered

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *McCarty* prepare and bring in the same.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, that the Committee had had under their Consideration, the Petition of *Morgan Bryan*, and others, of the County of *Orange*, to them referred; complaining of the large Deduction for Conveniency, out of their Allowance, as *Venire-men* and Witneffes, levied for them in the laft Public Levy, and praying Relief: And alfo the Petition of *Benjamin Cove*, and Others, of the same County, to them likewise referred, complaining that their Allowance in the laft Public Levy, as *Venire-men* and Witneffes, was not levied in the County where they dwell, but in the County of *Caroline*; and that they have been put to as much Charge in fuing the Sheriff of the said County, for the same, as the Amount of their said Allowance, and yet have not been able to obtain Judgment thereof: And had come to a Refolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Refolution was again read: And upon the Queftion put, agreed to, by the Houfe, as follows:

Resolved, That the said Petitions be rejected.

Mr *Carter* moved for Leave to bring in a Bill, for making more convenient the feveral Counties below *Prince William* County, in that Part of *Virginia*, called the *Northern Neck*; and for the better Settling and Regulating the Bounds of the said Counties.

Ordered, That Leave be given to bring in a Bill, according to the said Motion: And that Mr *Attorney-General*, Mr *Beverley*, and all the Members of the *Northern Neck*, prepare and bring in the same.

Mr *Corbin* prefented to the Houfe, according to Order, a Bill, for Reviving the Aft, for making more effectual Provision againft Invaſions and Infurrections; and the same was received, and read the firft Time.

Ordered, That the Bill be read a fecond Time.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, feveral other Propositions from feveral Counties, to them referred: And had come to feveral Refolutions thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Refolutions were again twice read: And upon the Queftion feverally put, agreed to, by the Houfe, as follows:

Resolved, That the Proposition from the County of *Orange*, That a Law be made for deftroying Squirrels and Crows, be rejected.

Resolved, That the Proposition from the said County, for Repealing the Law, giving a Reward for killing of Wolves, or altering the Method of paying the said Reward, be rejected.

Resolved, That the Proposition from the said County, for Turning the Falls Road, be rejected.

A Petition of *John Tenant*, Praftitioner in Phyſick, was prefented to the Houfe, and read; ſetting forth, That he having difcovered the wonderful Efficacy of the *Rattle-Snake Root*, in curing the *Pleurify*, was induced to publiſh ſuch his Difcovery, for the common Benefit of the Inhabitants of this Colony; and praying ſuch Reward, as to the Houfe ſhall ſeem reaſonable.

Resolved, That this Houfe will take the said Petition into Consideration on *Tueſday* next.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, divers Propositions from the County of *Orange*, for Dividing the said County: As alfo a Petition of ſome of the Inhabitants of the said County, againſt ſuch Diviſion, to them referred: And had come to a Refolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Refolution was again read: And upon the Queftion put, agreed to, by the Houfe, as follows:

Resolved,

Resolved, That all that Part of the said County of *Orange*, which lies to the Westward of the Top of the Blue Ridge of Mountains, be separated from the rest of the said County, and erected into Two distinct Counties, to be divided by a Line from the Head Spring of *Conway* River, to the Head Spring of *Potowmack*; and that the rest of the said County be another distinct County: And that the Petition against the said Division, be rejected.

Ordered, That it be an Instruction to the Committee to whom it is referred, to prepare and bring in a Bill, for the better Security and Encouragement of the Inhabitants beyond the great Ridge of Mountains; that they have Power to receive a Clause or Clauses, for Dividing the County of *Orange*, according to the said Resolution.

Ordered,

That the House be adjourned 'til *Monday* Morning, Eleven o'Clock.

Monday, November 13, 1738.

A Petition of *Anthony Strother* in Behalf of the Orphans of *William Strother*; praying an Allowance for four Hogheads of Tobacco, destroyed in *Falmouth* Warehouse, by a Fire.

And also a Petition of *Anthony Strother*, and *Enoch Innis*, Inspectors at the said Warehouse; praying an Allowance for Five Hogheads of Tobacco damnified therein, as aforesaid; for which they have given their Notes; were severally presented to the House, and read.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions, respectively; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Benjamin Needler*, was presented to the House, and read; praying an Allowance for a Slave, who ran away with an Outlaw'd Slave of the Petitioner's, to *North-Carolina*; and having there committed a Robbery, and being pursued and overtaken, presented a Gun against his Pursuers, and was by one of them shot dead on the Spot.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, for the better Regulation of the Militia, was read the second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

Resolved, That this House will resolve itself into the said Committee, on *Thursday* next.

Mr Fitzhugh presented to the House, according to Order, a Bill, for erecting Two new Counties, and Parishes; and granting certain Encouragements to the Inhabitants thereof.

Also a Bill, for altering the Method of Tryal of certain Criminals, therein mentioned.

Also a Bill, for allowing Fairs to be kept at the Town of *Fredericksburg*: And the same were received, and severally read the first Time.

Ordered, That the Bill be read a second Time.

Mr Conway presented to the House, according to Order, a Bill, for amending the Act, intitled, *An Act concerning Tithables*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That the Thanks of this House be return'd to the Rev. *Mr Chicley Thacker*, for his excellent Sermon Yesterday, preach'd before this House: And that *Mr Conway*, *Mr Fitzhugh*, *Mr Willis*, and *Mr Carter*, acquaint him therewith.

Ordered, That One Thousand Copies of the said Sermon be printed, at the Public Charge, to be proportioned amongst the several Counties in this Colony; to be distributed by

by the respective Courts of the said Counties, in the best Manner, for the Comfort of Christians, against the groundless Objections to the Divinity and Dignity of the Blessed Jesus.

Mr *Curtis* moved for Leave to present a Petition for repealing a Public Ferry, which had not been presented to the Court for receiving and certifying Propositions and Grievances, and Public Claims: And the Question being put, That the said Petition be brought to the Table? It passed in the Negative.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Tuesday, November 14, 1738.

Ordered,

THAT Mr *Allen* be added to the Committee, to whom it is referred to prepare and bring in a Bill, for making more convenient the several Counties below *Prince William*, in that Part of *Virginia*, called the *Northern Neck*; and for the better Settling and Regulating the Bounds of the said Counties.

A Petition of *William Byrd*, Esq; was presented to the House, and read; praying, That certain Foreign Protestants, who are daily expected, in order to seat upon *Roanoke* River, on the *Southern* Bounds of this Colony, may be exempted from the Payment of Levies, for such a Number of Years as the House shall think fit: And when those Years shall be expired, that they may be allowed to pay their Levies in Money.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

Mr *Attorney-General* presented to the House, according to Order, a Bill to *prevent Waste and Dilapidations upon Glebe Lands*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Corbin* presented to the House, according to Order, a Bill, *for better Regulating and Collecting certain Officers Fees; and other Purposes therein mentioned*: And the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of the Maior, Recorder, Aldermen, Common-Council, and other Inhabitants, of the City of *Williamsburg*, was presented to the House, and read; setting forth, That they are informed, a Bill is intended to be brought in, for removing the Seat of Government; suggesting several Reasons against such Removal: And praying, That if a Bill shall be brought in for that Purpose, they may be heard, by their Counsel, before the same shall pass into an Act.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

The House, according to Order, proceeded to the Consideration of the Petition of *John Tennent*, Practitioner in Physick; and after a Debate, the Question was put, That a Reward be given to the said *John Tennent*, for the great Service he has done this Colony, in making Public his Discovery of the Use of the *Rattle-Snake Root*?

It passed in the Negative.

Resolved, That the said Petition be rejected.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration a Proposition from the County of *Hanover*, to them referred, for altering the Law concerning Strays; and had come to a Resolution thereupon, which he read in his Place, and afterwards delivered in at the Table; where the Resolution was again read, and agreed to by the House, as follows:

Resolved, That the said Proposition be rejected.

A Memorial of *Anthony Strother*, and *Enoch Innis*, was presented to the House, and read; shewing, what Tobacco has been lost in *Falmouth* Warehouse, by the Fire; for which the owners thereof, have not, as yet, petitioned for any Allowance.

Ordered, That the said Memorial be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, for Reviving the Act, for making more effectual Provision against Invasion and Insurrections, was read the second Time; and the Blank in the Bill filled up at the Table.

Ordered, That the Bill be ingrossed.

A Petition of *Mr Richard Randolph*, a Member of this House, was presented to the House, and read; praying an Allowance for a Deduction of Twenty One Pounds Five Shillings, out of the Rent of the Public Warehouses at *Warwick*, and for Two Years Rent in Arrear for the said Warehouses.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, for allowing Fairs to be kept in the Town of *Fredericksburg*, was read the second Time; and an Amendment made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingrossed.

A Motion being made,

Ordered, That the Report of the Commissioners made, pursuant to the Act, made in the Tenth Year of His Majesty's Reign, for the Relief of certain Persons who were Sufferers in the Loss of the Records of the County of *Nansemond*, be referred to the Consideration of a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Pugh,

Mr Elligood,

Mr Baker,

Mr Crafford, and

Mr Simmons.

Ordered, That the Clerk of the Secretary's Office do lay the said Report, together with the Depositions to which the same refers, before the said Committee.

Ordered, That Leave be given to bring in a Bill, for the Relief of such of the said Sufferers, whose Cases have not been already provided for; and that the said Committee prepare and bring in the same.

A Bill, for amending the Act, intituled, *An Act, concerning Tithables*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it; and to *Mr Attorney-General*, *Mr Fitzhugh*, *Mr Hutchins*, and *Mr Harrison*.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, November 15, 1738.

M*R. Conway* presented to the House, according to Order, a Bill, for appropriating a Sum of Money therein mentioned, to the Use of the Parish of *St. Andrew*, in the County of *Brunswick*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *David Meriwether*, Proprietor of the Public Warehouse, called *Meriwether's*, in the County of *Hanover*, was presented to the House, and read; praying an Allowance for several additional Buildings, made by Order of the Commissioners, and the County Court, since the first Appointment of the said Warehouse.

Ordered,

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, several Petitions, to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Resolutions were again read, and with an Amendment to one of them, agreed to, by the House, as follows:

Resolved, That the Sum of One Pound Sixteen Shillings and Five Pence Half Penny, be allowed to *William Ball*, for the Balance of his Account, as an Inspector, in the Year 1732, which *John Holloway*, Esq; then Treasurer, refused to pay.

Resolved, That an Allowance of Forty Pounds Current Money, be made to Mr *Richard Randolph*, for his Slave, committed to the County Goal of *Henrico*, on Suspicion of Felony, who set fire to the Prison, and was burnt to Death.

Resolved, That Seven Hundred and Twenty Pounds of Tobacco, and Three Pounds Current Money, be allowed to *Southey Rew*, for his Attendance and Ferriages, as a Witness in the King's Suit, against *William Andrews*, an Inspector, prosecuted in the General Court.

Resolved, That an Allowance of Thirty Pounds Current Money, be made to *Peter Hay*, for a Negro Man Slave, belonging to the Estate of *William Johnson*, deceased; who being committed for Felony, and thereof acquitted, by a long Confinement in Prison, became so exceedingly Frost-bitten, that a Mortification ensued, whereof he died.

Resolved, That Three Pounds Ten Shillings Current Money, be allowed to *James Reid*, Proprietor of the Public Warehouse at *Urbanna*, for the Expence of making a Plank Floor in the said Warehouse; and that That Part of his Petition which relates to the Loss he has sustained by reducing the Rent of the said Warehouse, be rejected.

Ordered, That it be an Instruction to the said Committee, to make the said several Allowances, in the Book of Claims.

Resolved, That the Petition of *Robert Cobbs*, to be allowed for the Loss of his only Negro Man, who hanged himself, be rejected.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

Mr *Randolph* moved for Leave to present a Petition¹ of the People called *Quakers*; praying to be exempted from the Payment of Parish Levies: And after a Debate, the Question was put, That the said Petition be brought to the Table?

Resolved, in the Affirmative.

Then the Petition was read.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances; that they do examine the Matter thereof, and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Motion for Leave to bring in a Bill, for removing the Seat of Government to a more convenient Place.

And a Motion was made, That an Amendment be made to the first Motion, expressing some particular Place to which the Seat of Government is proposed to be removed: And after a Debate, the Question was put thereupon? *Resolved*, in the Affirmative.

Then

¹ This petition is printed in the Appendix to this Volume.

Then some Members spoke for removing the Seat of Government to *Bermuda Hundred*, on *James River*; and others, for having it at *West-Point*, on *York River*: And after a Debate, the Question being put, That Leave be given to bring in Bill, for removing the Seat of Government to *Bermuda Hundred*?

It passed in the Negative.

Then the Question was put, That Leave be given to bring in a Bill, for removing the Seat of Government to *West-Point*?

It passed in the Negative.

Resolved, That the said Motion be rejected.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, November 16, 1738.

A Petition of Mr *Robert Bolling*, the Proprietor of the Public Warehouses at *Appamattox Point*, was presented to the House, and read; setting forth, That since the Rent of those Warehouses was reduced, he has built another House Forty Feet square, with all proper Conveniences; and praying an Allowance for the same.

Also a Petition of *Hugh West*, the Proprietor of the Land whereon the Public Warehouses at *Hunting Creek* are built; setting forth, That since the Reducing the Rent of the said Warehouses in 1734, another Warehouse has been built at the Place aforesaid, by the County, who insist upon receiving the Rent then settled, to reimburse them the Expence thereof; and praying to be allowed such a Rent as may enable him to reimburse the County the Charge of the said new built House, and be some Recompence for the Loss and Damage he sustains, by the placing the Warehouses on his said Lands; were severally presented to the House, and read.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions, respectively; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Wall* moved for Leave to bring in a Bill, for Amending the Act, for making, Clearing, and Repairing the Highways, and for Clearing the Rivers and Creeks:

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *Conway*, Mr *Wall*, and Mr *Curtis*, prepare and bring in the same.

The Claim of *Edward Colvel*, for taking up a Runaway Slave, therein mentioned, was presented to the House, and received.

Ordered, That the said Claim be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Attorney-General* moved for Leave to present a Petition of the Inhabitants of the Parish of *Bristol*, in the County of *Prince George*; complaining of divers Hardships they labour under, in the Division of that Parish: And praying the Consideration of the House therein; which Petition had not been preferred to the Court, for Receiving and Certifying Propositions and Grievances, and Public Claims:

And the Question being put, That the said Petition be brought to the Table?

It passed in the Negative.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several Petitions, to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Resolutions were again twice read: And upon the Question severally put, agreed to, by the House, as follows:

Upon

Upon a Petition of *Thomas Pleasants*, and Others, in Behalf of themselves, and the rest of the People of this Colony, commonly called *Quakers*; complaining of great Hardships they labour under, by reason of Seizures and Distresses made upon their Estates, for Parish Levies:

Resolved, That the Laws be amended, concerning Seizures and Distresses; and that Provision be made to prevent excessive Distresses; to enable the succeeding Collector of the Parish Levies, to distrain for Levies remaining due to the former Collectors; and to restrain the bringing Actions or other Suits, for any such Levies, where Distress may be had.

Ordered, That Leave be given, to bring in a Bill, according to the said Resolution: And that the Committee of Propositions and Grievances prepare and bring in the same.

Upon Consideration of the Petition of Mr *John Allen*, a Member of this House, for Repealing the Ferry, at the Mouth of *Upper Chipcocks* Creek, over to the *Row*, or *Martins-Brandon*:

Resolved, That the said Petition is reasonable.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, for appointing several Ferries, That they have Power to receive a Clause for Repealing the said Ferry.

Mr *Corbin* moved for Leave to bring in a Bill, to prevent the taking away Lands against the Will of the Proprietors, for building Water-mills: And the Question being put thereupon; It passed in the Negative.

A Bill, for *altering the Method of Trial of certain Criminals therein mentioned*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

A Bill, for *erecting Two new Counties, and Parishes; and granting certain Encouragements to the Inhabitants thereof*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

Ordered, That the Petition of the Honourable *William Byrd Esq*; be referred to the Consideration of the said Committee.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Bill, for the better Regulation of the Militia: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported from the Committee, That they had had the said Bill under their Consideration, and agreed upon some Amendments to be made thereto: But not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow, again resolve itself into a Committee of the whole House, further to consider the said Bill.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, November 17, 1738.

MR. *Fitzhugh* presented to the House, according to Order, a Bill, for the Security of such Persons as have settled, or shall go to settle, on the Land Frontiers; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr *Attorney-General* reported, from the Committee, to whom the Bill, for *amending the Act*, intituled, *An Act, concerning Tithables*, was committed, several Amendments made

made to the Bill: And he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments in at the Table; where the said Amendments were twice read; and with an Amendment to one of them, upon the Question severally put, agreed to by the House.

Ordered, That the Bill, with the Amendments, be Ingrossed.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Bill, for the better Regulation of the Militia: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported, that the Committee had had the said Bill under their further Consideration, and gone through the same; and agreed upon several other Amendments to the Bill: But not having Time to draw up their Report, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider of the said Report To-morrow.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Saturday, November 18, 1738.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

Mr *Fitzhugh* reported, from the Committee, to whom the Bill, *for altering the Method of Trial of certain Criminals therein mentioned*, was committed, several Amendments made to the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the said Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Blair*, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, several Petitions, to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the Report do lie on the Table, to be perused by the Members of this House.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Report to be made upon the Bill, *for the better Regulation of the Militia*: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported from the Committee, that they had made several Amendments to the Bill; which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the Consideration of the said Amendments, be put off 'til *Wednesday* next,

A Bill, intituled, *An Act, for Reviving the Act, for making more effectual Provision against Invasions and Insurrections*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Corbin* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for allowing Fairs to be kept in the Town of Fredericksburg*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Fitzhugh* do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, for Amending the Act, intituled, An Act, concerning Tihtables*, with the Amendments, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr *Conway* do carry the Bill to the Council; and desire their Concurrence.

Ordered, That Mr *Martin*, and Mr *Richard Kennan*, be added to the Committee of Propositions and Grievances.

Ordered, That Mr *Ruffin*, and Mr *Elligood*, be added to the Committee for Public Claims.

Ordered, That Mr *Hutchins* be added to the Committee, to whom it is referred to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof.

Ordered, That the House be adjourned 'til *Monday* Morning, Eleven o'Clock.

Monday, November 20, 1738.

MR. Attorney-General presented to the House, according to Order, a Bill, to enable Ralph Wormley, Esq; to sell and dispose of certain entailed Lands, to raise Money for the Payment of his Sisters Portions, and Performance of his Father's Will; and the same was receiv'd, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of the Justices of the Court of the County of *Caroline*; setting forth, That since the Rents of the Public Warehouses were reduced, they have been obliged to build two new Warehouses; one at *Roy's*, the other at *Gibson's*: And praying the Consideration of the House therein.

Also a Petition of Mr *Jonathan Gibson*, a Member of this House, praying the Consideration of the House, with Respect to a Deduction made out of his Warehouse Rent, for the Rent of another Warehouse, built by Mr *Thomas Turner*; were presented to the House, and severally read.

Ordered, That the said several Petitions be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter of the said Petitions respectively; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

Mr *Fitzhugh* reported, from the Committee, to whom the Bill, for Erecting two new Counties and Parishes; and granting certain Encouragements to the Inhabitants thereof, was committed, That the Committee had had under their Consideration, the Petition of *William Byrd*, Esq; to them referred: And were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Resolution was again read, and agreed to, by the House, as follows:

Resolved, That certain Foreign Protestants who are daily expected to arrive, in order to settle upon *Roanoke* River, near the Southern Bounds of this Colony, ought to be exempted from Payment of Levies for some Years, and afterwards allowed to pay their Levies in Money.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution: And that the Committee of Propositions and Grievances, prepare and bring in the same.

Mr *Harrison* moved for Leave to bring in a Bill, for allowing all Persons to pay their Levies and Public Dues in Money.

Ordered, That Leave be given to bring in a Bill, according to the said Motion: And that Mr *Harrison*, Mr *Carter*, Mr *Conway*, and Mr *Hutchins*, prepare and bring in the same.

A Petition of Mr *Daniel McCarty*, a Member of this House, was presented to the House, and read; praying to be re-imburfed the Charge he has been at, in prosecuting a Complaint against *Samuel Oldham*, an Inspector, upon which he was removed from his Office.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

A Bill, for the better *Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*, was read the second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

Resolved, That this House will resolve itself into a Committee of the whole House, to consider the said Bill.

A Petition of *Griffith Savage, Henry Hickman, William Parks, and Joseph Hickman*, was presented to the House, and read; praying an Allowance for their Expences and Attendance, as Witnesses in the King's Suit, prosecuted in the General Court, against *William Andrews*, an Inspector.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House resumed the Consideration of the Report from the Committee of Propositions and Grievances: And the Resolutions of the said Committee, which had not been before considered, were read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That the Proposition from the County of *Spotsylvania*, That a white Overseer, or other white Person, be constantly kept at every Negro Quarter, be rejected.

Resolved, That the Proposition from the said County, for altering the Law concerning Strays, be Rejected.

Resolved, That the Proposition from the said County, That Insolvent Debtors be Sold, be Rejected.

Resolved, That the Proposition from the said County, That the Method of Proving Accounts and Book Debts, be altered, and the Time limited to sue for them, enlarged; be Rejected.

Upon a Proposition from the said County, That the Law concerning Executions, be altered:

Resolved, That no Execution be awarded against the Body of any Debtor, for any Debt recovered out of Court, before a Justice of the Peace.

Resolved, That the Proposition from the said County, for altering the Method of Collecting and making Distresses for Levies, and Officers Fees, be Rejected.

Resolved, That the Proposition from the said County, for altering the Law concerning the Levying Executions, and making Distresses for Tobacco, be Rejected.

Ordered, That it be an Instruction to the Committee to whom it is referred, to prepare and bring in a Bill, for amending the Law concerning Seizures and Distresses; and for making Provision against excessive Distresses; to enable the succeeding Collector of the Parish Levies, to distrain for Levies remaining due to the former Collectors; and to restrain the bringing Actions or other Suits, for any such Levies, where Distresses may be had, That they have Power to receive a Clause to prohibit Justices of the Peace from granting Executions against the Body of any Debtor, upon Judgments obtained before them, out of Court.

A Bill, to *prevent Waste and Dilapidations upon Glebe Lands*, was read a second Time.

Ordered, That the Bill be committed to a Committee: And a Committee was appointed accordingly of the following Persons: Mr *Willis*, Mr *Fitzhugh*, and Mr *Martin*.

A Bill, for the *Security of such Persons as have settled, or shall go to settle, on the Land Frontiers*, was read the second Time: And after a Debate, the Question was put, That the Bill be committed to a Committee?

It passed in the Negative.

Then the Question was put, That the Bill be ingrossed, and read the third Time?

It passed in the Negative.

Resolved, That the Bill be rejected.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday,

Tuesday, November 21, 1738.

A Motion being made, the House proceeded to the Consideration of the Petition of Mr *Daniel McCorty*, Yesterday preferred to the House; and thereupon,
Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, intituled, *An Act, for altering the Method of Trial of certain Criminals therein mentioned*, with the Amendments, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Attorney-General* do carry the Bill to the Council; and desire their Concurrence.

Mr *Corbin* moved for Leave to present a Proposition of fundry Subscribers, said to be Inhabitants of the County of *King and Queen*, for discontinuing the Tobacco Law; which had not been preferred to the Court, held for Receiving and Certifying Propositions and Grievances, and Public Claims, in the said County:

And the Question being put, That the said Proposition be brought to the Table?

It passed in the Negative.

A Petition of the Minister and Vestrymen of the Parish of *Elizabeth River*, in the County of *Norfolk*, was presented to the House, and read; praying, That they may be enabled to sell a small Piece of Land therein mentioned, and fundry Slaves, with those descended from them; which, by the Will of *Matthew Godfrey*, deceased, are given to be held by the Vestry of the said Parish, for the Use of the Poor of the County aforesaid, for ever; and apply the Money arising by Sale of the same, to other Parochial Uses, for lessening the Levy by the Poll, in the said Parish.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, was called over, and all the Members appeared.

The Order of the Day being read, the House, according to Order, proceeded to the Consideration of the first Resolution of the Committee of the whole House, upon the Governor's Speech, in relation to the Laws now in Force, *For Amending the Staple of Tobacco; and preventing Frauds in His Majesty's Customs*: And after a Debate, the Question being put, That the House agree to the said Resolution; the House divided.

The Yeas go forth.

Tellers.	Mr <i>Conway</i> , for the Yeas,	} Yeas 39
	Mr <i>Randolph</i> , for the Noes,	
		Noes 30

And so it was resolved in the Affirmative.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution of the said Committee: And that the Committee of Propositions and Grievances, prepare and bring in the same.

Ordered, That Mr *Crafford* have Leave to be absent from the Service of the House 'til *Monday* next.

Ordered, That the House be adjourned 'til To-morrow Morning, Eleven o'clock.

Wednesday, November 22, 1738.

A Motion being made, the Serjeant at Arms was called in, and acquainted the House, that, pursuant to a Warrant from the late Speaker, he sent his Messenger the last Session, to apprehend *William Burdett*, and bring him before the House, to answer for his Misdemeanour and Breach of Privilege, in obstructing the free Election of a Burgefs, to serve in this present General Assembly, for the County of *Caroline*; but that the said *William Burdett* absconded, and could not be taken.

Ordered,

Ordered, That the said *William Burdett* be again sent for, in Custody of the Sergeant at Arms, to answer for his said Misdemeanour and Breach of Privilege, at the Bar of the House.

A Petition of *John Taliaferro*, late Sheriff of the County of *Caroline*, was presented to the House, and read; setting forth, That in the Year 1732, one *Samuel Stone*, who was committed to the Goal of the said County, upon mesne Procefs, broke the Prison, and escaped; whereby he has sustained great Loss and Damage: And praying the Consideration of the House,

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Carter presented to the House, according to Order, a Bill, for *further Continuing an Act*, intituled, *An Act, for Laying a Duty on Liquors*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Fitzhugh presented to the House, according to Order, a Bill, for *Dividing the Parishes of Southwark, and Lawn's Creek, and other Purposes therein mentioned*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *Mr Richard Kennon*, a Member of this House, and Proprietor of the Public Warehouse, called *Soans's*, was presented to the House, and read; setting forth, That since the Reduction of the Rent of the said Warehouse, and the Repealing the Public Warehouse at *Martin's Brandon*, he has been obliged to permit the Inspectors to make Use of other Houses, and to build a new Warehouse, for the Reception of Tobacco: And praying the Consideration of the House therein.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Conway presented to the House, according to Order, a Bill, for *Amending the Act*, intituled, *An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *Mr Leonard Claiborne*, a Member of this House, was presented to the House, and read; praying to be allowed to keep a Ferry from his Landing, on the Upper Side of *Bridge Creek*, on *Pamunkey River*, near *Sweet-Hall*.

Ordered, That the said Petition be referred to the Consideration of the Committee for Propositions and Grievances: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, to enable *Ralph Wormley, Esq;* to sell and dispose of certain entailed Lands, to raise Money for the Payment of his Sisters Portions, and Performance of his Father's Will; was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it, and to the Members for the Counties of *King George*, and *Caroline*: That they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, proceeded to the Consideration of the Amendments, reported from the Committee of the whole House, to the Bill, for the better Regulation of the Militia; and the Amendments were twice read: And upon the Question severally put, one of them was disagreed to, and the rest agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

A written Message from the Governor and Council, was delivered by *Mr Robertson*, *Mr Speaker*, and Gentlemen of the House of Burgesses,

Mr John Tennent, who some Time ago published a Treatise upon the Virtues of the *Seneca Rattle-Snake Root*, with Directions for Preparing and Using it, hath brought before

before Us, divers Gentlemen of good Credit, who (as well from their own Knowledge and Experience, as the Relation of others, whose Veracity they have no Reason to doubt) have testified, That the said *Rattle-Snake Root* hath proved an effectual and speedy Remedy in *Pleurisies*, and other Diseases, incident to the People of this Country: And as Mr *Tennent* communicated this Medicine to the Public, instead of making that Profit which he might have gained by keeping it a Secret; and that his Publication may be for the general Good of Mankind; We therefore recommend him to your House, for such a Reward as you shall think fit.

Also a Message from the Council:

That they have made an Amendment to the Bill, intituled, *An Act, for allowing Fairs to be kept in the town of Fredericksburg*:

And several Amendments to the Bill, intituled, *An Act, for amending the Act, concerning Tithables*; to which they desire the Concurrence of this House.

And that they have agreed to the Bill, intituled, *An Act, for Reviving the Act, for making more effectual Provision against Invasions and Insurrections*, without any Amendment.

Resolved, That this House will take the said written Message into Consideration to-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, November 23, 1738.

THE House, according to Order, proceeded to the Consideration of the written Message from the Governor and Council: And after a Debate, the Question being put,

Resolved, That the Sum of One Hundred Pounds, be paid to Mr *John Tennent*, for publishing his Discovery of the Use of the *Seneca Rattle-Snake Root*.

Resolved, That the said Sum be paid him out of the Public Money in the Hands of the Treasurer.

Ordered, That Mr *Carter* do carry the said *Resolves* to the Council; and desire their Concurrence.

Complaint being made to the House, That indecent Inscriptions have been written upon one of the Seats of the Burgesses, in Contempt and Breach of the Privileges of this House:

Ordered, That the Matter of the said Complaint be referred to the Consideration of the Committee of Privileges and Elections: That they take proper Measures to inform themselves by whom the said Offence was committed; and report their Proceedings, with their Opinion thereupon, to the House.

Ordered, That it be an Instruction to the said Committee, That they examine all Witnesses touching the Matter of the said Complaint, in the most solemn Manner.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration, several other Propositions from several Counties, to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered in at the Table; where the following Resolutions were again twice read: And upon the Question severally put, agreed to, by the House.

Resolved, That the Proposition from the County of *Surry*, for Repealing the Laws, for the more speedy and easy Recovery of small Debts, be Rejected.

Resolved, That the Propositions from the Counties of *Surry*, and *Isle of Wight*, for Repealing the Laws, relating to the Duty of Constables, in viewing Tobacco Grounds, be Rejected.

Resolved,

Resolved, That the Proposition from divers Inhabitants of that Part of the Parish of *Wiccocomoco*, in the County of *Lancaster*, for adding that Part of the said Parish to the County of *Northumberland*, be Rejected.

Resolved, That the Proposition from the County of *Caroline*, for Dividing the Parish of *St. Marguret*, be Rejected.

Resolved, That the Proposition from the County of *King George*, for building a Public Warehouse, at a Place called *Proctor's*, for the Reception and Inspection of Tobacco, be Rejected.

Mr *Fitzhugh* also reported, from the said Committee, That they had had under their Consideration, the Petition of divers of the Inhabitants of the County of *Spotsylvania*, to them referred, praying, That the County of *Orange* may refund to the said County of *Spotsylvania*, a certain Quantity of Tobacco therein mentioned, said to be expended in building and maintaining Public Warehouses, for the Benefit of the Inhabitants of the said County of *Orange*: But that the Committee had not come to any Resolution thereupon, conceiving it to be a Matter more proper to be considered by the Committee for Public Claims.

Ordered, That the said Report be committed to the said Committee.

A Petition of *John Carter*, Esq; Secretary of this Colony, was presented to the House, and read; setting forth, That for the Preservation of the Records, many of which were like to be spoiled by the Dampness of the Walls, he did in the Year 1723, apply to this House, and obtained their Order for building a Chimney in his Office, and did not doubt but the House would have enabled him to provide Fire-wood; which has been a considerable Expence to him for Fifteen Years: And praying a reasonable Allowance for the Time past; and that such an Annual Sum may be settled, as may be sufficient to defray the Expence thereof, for the future.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Resolved, That this House will resolve itself into a Committee of the whole House, to consider the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*, To-morrow.

Mr *Hutchins* moved for Leave to bring in a Bill, to prevent the Inhabitants of the Borough of *Norfolk*, from being compelled to serve in the Militia of the County of *Norfolk*; and to exempt Sailors or Seamen in actual Pay, on board any Ship or Vessel, from serving in the Militia.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *Hutchins*, Mr *Boush*, and Mr *Craftford*, prepare and bring in the same.

The House proceeded to the Consideration of the Amendment made by the Council, to the Bill, intituled, *An Act, for allowing Fairs to be kept in the Town of Fredericksburg*; and the Amendment was twice read: And upon the Question put, agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendments by them made to the said Bill: And that Mr *Fitzhugh* go up with the Message.

A Bill, for continuing an Act, intituled, *An Act, for laying a Duty on Liquors*, was read a second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

Resolved, That the House will, on *Saturday* next, resolve itself into a Committee of the whole House, to consider the said Bill.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Friday,

Friday, November 24, 1738.

Ordered,

THAT Mr Claiborne, Mr McCarty, Mr William Aylett, Mr John Aylett, and Mr Randolph, have Leave to be absent from the Service of the House, respectively, 'til Monday next.

A Petition of the Justices of the County of Surry, was presented to the House, and read; setting forth, That since the Rent of the Warehouses at Gray's Creek has been reduced, they have been obliged to build another Warehouse, and that the Rent, as it is now settled, is not sufficient to reimburse the County: And praying the Consideration of the House in the Premises.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Willis reported, from the Committee, to whom the Bill for preventing Waste and Dilapidations upon Glebe Lands, was committed, several Amendments made to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again read.

And the first Amendment being read a second Time.

Ordered, That the Bill be re-committed to the said Committee, and to Mr Conway.

Mr Conway, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration the Complaint to them referred, That indecent Inscriptions have been written upon one of the Seats of the Burgesses, in Contempt and Breach of the Privileges of this House: And upon hearing and examining into the said Complaint, Bedford Davenport confessed the Fact: Whereupon the Committee had come to a Resolution; which he read in his Place; and afterwards delivered in at the Table; where the Resolution was again read; and with an Amendment, agreed to, by the House as follows:

Resolved, That the said Bedford Davenport, in writing the said Inscriptions, is guilty of a Breach of the Privileges of this House; and that therefore he be taken into Custody, and brought to the Bar of the House, to suffer such Censure as the House shall think proper.

Accordingly he was brought to the Bar, in Custody of the Serjeant at Arms; and there standing, acknowledged his Offence, in the following Words:

Mr Speaker, I acknowledge my Folly and Indiscretion, in writing indecent Inscriptions on one of the Seats of the Burgesses; for which I am heartily sorry, and humbly ask Pardon of the House; and sincerely promise, That I will take particular Care not to give any Offence to this House for the future.

Then Mr Speaker spoke, as follows:

Bedford Davenport, The Offence you have been guilty of, is very great; yet the Lenity of the House is such, that considering your Youth, They have only commanded me to reprimand you for it; and I do reprimand you accordingly: And I am further to acquaint you, that it is Their Pleasure that you be discharged out of Custody, paying Fees.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

Mr Blair, from the Committee for Public Claims, reported, That the Committee had had under their Consideration, the Petition of Mr Daniel McCarty, to them referred: And were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Resolution was again twice read: And upon the Question put, agreed to, by the House, as follows:

Resolved, That the sum of Four Pounds Fourteen Shillings and Six Pence Current Money, and Two Thousand One Hundred and Forty Two Pounds of Nett Tobacco, be allowed to Mr Daniel McCarty, to reimburse him the Charges he has been at, in prosecuting

cuting a Complaint against *Samuel Oldham*, an Inspector; upon which he was, by Order of the Council, removed from the said Office.

Ordered, That it be an Instruction to the said Committee to make the said Allowances to the said *Daniel McCarty*, in the Book of Claims.

A Message from the Council, by *Mr Robertfon*.

That they have agreed to the Bill, intituled, *An Act, for altering the Method of Trial of certain Criminals therein mentioned*, without any Amendment.

Ordered, That an Address be made to the Governor, to remove those Persons from all Offices, who, having been Inspectors, have been put out of that Office upon a Complaint: And that *Mr McCarty*, *Mr William Aylett*, and *Mr Conway*, do wait on the Governor with the said Address.

A Petition of *Mr Robert Munford*, was presented to the House, and read; representing, That it may be of great Advantage to this Colony, to improve a Trade with the *Cherikee Indians*: And praying, That he may be exempted from Payment of the Duty for such Skins and Furs as he shall purchase of those *Indians*, for Four Years.

And the Question being put, That Leave be given to bring in a Bill, according to the Prayer of the said Petition? It passed in the Negative.

Resolved, That the said Petition be Rejected.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*: And after some Time spent, *Mr Speaker* resum'd the Chair; and *Mr Fitzhugh* reported, from the Committee, That they had had the said Bill under their Consideration, and agreed upon some Amendments to the Bill: But not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider further of the said Bill, To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, November 25, 1738.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken, by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also the Test; and taken the Oath of a Burgess; was admitted to his Place in the House.

Upon a Motion, the House was called over, and the Names of the absent Members were again called over, and Excuses made for some of them who were absent without the Leave of the House; which were allowed.

Ordered, That *Mr Joseph Grey*, *Mr Thomas Turner*, and *Mr William Macon*, be taken into the Custody of the Serjeant at Arms, for absenting themselves from their Duty in the Service of the House.

Mr Fitzhugh presented to the House, according to Order, a Bill, *to prevent Sheriffs, and other Officers, from making unreasonable Seizures and Distresses, and for other Purposes therein mentioned*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That *Mr Isham Randolph* be added to the Committee of Privileges and Elections, and to the Committee of Propositions and Grievances.

Ordered, That the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*, be referred to the Consideration of the Committee of the whole House, to whom the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*, is committed.

The

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*: And after some Time spent therein, Mr Speaker resumed the Chair; and Mr Fitzhugh reported from the Committee, That they had had the said Bill under their further Consideration; and gone thro' the same, and made several Amendments to the Bill: But not having Time to draw up their Report, nor to consider the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*, to them referred; the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider the said Report; and also the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*, on Monday next.

Ordered,

That the House be adjourned 'til Monday Morning, Eleven o'Clock.

Monday, November 27, 1738.

Ordered,

THAT Mr Dennis McCarty have Leave to withdraw his Petition for Leave to bring in a Bill, to dock the Entail of Five Hundred Acres of Land, in the Parish of Lunenburg, and County of Richmond; and for settling other Lands, of greater Value, in the County of Prince William, to the same Uses.

A Bill, intituled, *An Act, for the better Regulation of the Militia*, was read the third Time; and several Amendments were made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr Carter do carry the Bill to the Council; and desire their Concurrence.

A Petition of George Brent, was presented to the House, and read; praying an additional Rent for the Public Warehouses at Aquia, in Consideration of a new House built by him, since the last Session of Assembly.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Fitzhugh, from the Committee of Propositions and Grievances, reported, That the Committee had had under their further Consideration, the Petition of divers of the Inhabitants of the County of Spotsylvania, to them referred, praying, That the County of Orange may refund to the said County of Spotsylvania, a certain Quantity of Tobacco therein mentioned, said to have been expended in building and maintaining Public Warehouses, for the Benefit of the Inhabitants of the said County of Orange: And were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where the Resolution was again twice read: And upon the Question put, agreed to, by the House, as follows:

Resolved, That the said Petition be rejected.

A Memorial of Mr William Johnson, and Mr Rice Curtis, Jun. the Representatives of the County of Spotsylvania, was presented to the House, and read; setting forth, the Charge That County has been at, in building two new Warehouses, and hiring Others, for the Reception of Tobacco, at Fredericksburg: And praying the Consideration of the House therein.

Ordered, That the said Memorial be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Report to be made upon the Bill, *for the better Regulating and Collecting certain*

certain Officers Fees, and other Purposes therein mentioned; and also to consider the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported, from the Committee, That they had made several Amendments to the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*: And that they had also had under their Consideration, the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*; and made some Progress therein: But not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, further to consider the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*, To-morrow.

Then he read the Amendments in his Place, and afterwards delivered the Amendments in at the Table; where the same were again twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, *for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*, with the Amendments, be ingrossed.

A Motion was made, and the Question put, That the House be called over?

It passed in the Negative.

The House proceeded to the Consideration of the Amendments made by the Council, to the Bill, intituled, *An Act, for Amending the Act, intituled, An Act, concerning Tithables*; and the Amendments were twice read: And upon the Question put, one of the Amendments was agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the last Amendment, and disagreed to the rest of their Amendments to the said Bill; and to desire they will pass the Bill, with the Amendments agreed to, by this House: And that Mr *Conway* go up with the Message.

A Bill, for amending an Act, intituled, *An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks*, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr *Fitzhugh*,

Mr *Conway*,

Mr *Attorney-General*,

Mr *Carter*, and

Mr *Beverley*.

Mr *Conway* moved for Leave to bring in a Bill, to amend the Act, intituled, *An Act, for Encouragement of building Water-Mills*.

Ordered, That Leave be given to bring in a Bill, according to the said Motion: And that Mr *Conway*, Mr *Willis*, Mr *Attorney-General*, Mr *Fitzhugh*, and Mr *Martin*, prepare and bring in the same.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, November 28, 1738.

THE House being informed, That Mr *Macon*, and Mr *Turner*, attended in Custody.

Ordered, That they be discharged out of Custody, paying Fees.

The Two Petitions following, referred by the Council, to the Consideration of this House, was read, *viz*.

A Petition of fundry Inhabitants of the County of *Prince George*; praying, That a Ferry may be appointed over *James River*, from Col. *Blund's* Land, in *Prince George* County, to Mrs. *Anderson's* Land, in *Charles-City* County.

And

And a Petition of the Churchwardens and Vestrymen of the Parish of *St. Paul*, in the County of *Hanover*; praying, That Leave may be given to bring in a Bill to enable them to sell Two inconvenient Tracts of Land; and to purchase a more convenient Tract, for a Glebe.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter of the said Petitions, respectively; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

A Petition of the Inhabitants of *Blissland* Parish, in the County of *New-Kent*; praying, That the Public Warehouse at *Taskanask*, may be repealed; and another appointed instead thereof:

Also a Petition of the Inhabitants between *Totaskey*, and *Rappahanock* Creeks; praying, That the Public Warehouse, lately appointed to be built on Capt. *Thomas Barber's* Land, may be repealed; and another established instead thereof, at *Totaskey* Ferry; were severally presented to the House, and read.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Propositions and Grievances: That they do examine the Matter of the said Petitions, respectively; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

A Bill, for *Dividing the Parishes of Southwark, and Lawn's Creek, and other Purposes therein mentioned*, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

A Petition of the Justices of *King George* County, was presented to the House, and read; praying, That an additional Rent may be settled for the Public Warehouses at *Bray's*, whereby the County may be re-imburfed the Charge they have been at, in building a new Warehouse, since the Reduction of the former Rents.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Bill, for further continuing an Act, intituled, *An Act, for laying a Duty on Liquors*: And after some time spent, Mr *Speaker* resum'd the Chair; and Mr *Fitzhugh* reported, from the Committee, That they had had the said Bill under their further Consideration, and gone thro' the same: But not having Time to draw up their Report, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider the said Report, To-morrow.

The House proceeded to the Consideration of the Report from the Committee for Public Claims, upon several Petitions, for Allowances for Tobacco destroyed in *Falmouth* Warehouse, by a Fire; and upon the Petition of Mr *Robert Bolling*, for Warehouse Rent, to them referred: And the Resolutions of the said Committee were twice read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That for the following Quantities of Tobacco, Allowances be made to the several Persons who were Sufferers by the said Fire, viz.

	lbs. of Tobacco.
To Mr <i>Philip Ludwell</i> , for	5460
To <i>John Edwards</i> , for	100
To <i>William Pate</i> , for	1800
To <i>William Brown</i> , for	470
To the Estate of <i>William Strother</i> , for	4000
To Mr <i>Adam Reid</i> , for	1772
To <i>Alexander Grant</i> , for	927
To <i>John Holtclaw</i> , for	902
To <i>Peter Daniel</i> , for	846

Resolved,

Resolved, That Mr Robert Bolling be allowed an additional Rent of Seven Pounds per Annum, for Four Years, ending the Tenth of November, 1738, for the Expence he has been at, in building another Warehouse Forty Feet square, at Appamattox Point,

Ordered, That it be an Instruction to the said Committee, to make the said Allowances to the said Robert Bolling, in the Book of Claims.

Ordered, That it be also an Instruction to the said Committee, to settle the Prices of the before-mentioned Quantities of Tobacco; and to make allowances for the same in Money, to the respective Sufferers, at the Rate of Twelve Shillings and Six Pence per Hundred, in the Book of Claims.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Wednesday, November 29, 1738.

A Bill, to prevent Sherifs, and other Officers, from making unreasonable Seisures and Distresses, and for other Purposes therein mentioned, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Attorney-General,

Mr Beverley, and

Mr Conway,

Mr Willis.

A Petition of John Steele, was presented to the House and read; setting forth, That the Treasurer has only paid him Part of his Account, for enlarging the Chamber of the Burgeffes, and making the same more commodious, and for repairing the Public Goal; and refuses to pay the Residue: And praying that he may be paid his whole Account.

Ordered, That the said Petition be referred to the Consideration of the Committee for Courts of Justice: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr Conway, from the Committee of Privileges and Elections, reported, That they had had under their Consideration, the Returns of several new Writs, for Electing of Burgeffes, to serve in this present General Assembly: And that the Returns of the Writs, for Electing a Burgefs for the County of Accomack, and for the College of William and Mary, are made in the Form prescribed by Law.

That the Returns of the Writs for Electing a Burgefs for the Counties of Caroline, Charles-City, Nanfemond, King-William, Surry, Goochland, and the Borough of Norfolk, are not made in the Form prescribed by Law.

Ordered, That the Returns of the several Writs for Electing a Burgefs for the Counties of Caroline, Charles-City, Nanfemond, King-William, Surry, Goochland, and the Borough of Norfolk, be amended by the Clerk, at the Table. And they were amended accordingly.

Mr Fitzhugh, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, several Petitions to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered the Report in at the Table; where the same was again read; and is as follows:

Upon a Petition of divers of the Freeholders and Inhabitants of the County of Accomack, for dissolving the Vestry of the Parish of Accomack, in that County:

Resolved, That it is the Opinion of this Committee, That the said Petition be referred to the Consideration of the next Session of Assembly.

Resolved, That it is the Opinion of this Committee, That unless the Vestrymen of the said Parish, shall then appear and justify their Proceedings, That the said Vestry be dissolved, and a new Vestry elected.

Upon a Petition of the Minister and Vestry of the Parish of Elizabeth River, in the County of Norfolk, praying, That an Act may be passed, to enable them to sell a Tract
of

of Land, and Eleven Negroes, devised by the Will of *Matthew Godfrey*, deceas'd, for the Use of the Poor of that County; and to lay out the Money arising by such Sale, in building a Church, and other Parochial Uses:

Resolved, That it is the Opinion of this Committee, That the said Petition be Rejected.

And the Report being read a second Time, Part thereof was disagreed to, and Part agreed to, by the House.

Ordered, That Leave be given to bring in a Bill, for dissolving the Vestry of the Parish of *Accomack*, in the County of *Accomack*: And that *Mr Henry Scarborough*, and *Mr Edmund Scarborough*, prepare and bring in the same.

Resolved, That the said Petition of the Minister and Vestry of the Parish of *Elizabeth River*, in the County of *Norfolk*, be Rejected.

A Bill, for appropriating a Sum of Money therein mentioned, to the Use of the Parish of *St. Andrew*, in the County of *Brunswick*, was read a second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Randolph,

Mr Embry, and

Mr Conway,

Mr Wall.

Mr Willis reported, from the Committee, to whom the Bill for *Preventing Waste and Dilapidations upon Glebe Lands*, was committed, several Amendments made to the Bill: And he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where they were again read; and the Amendments being read a second Time, were, upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Message from the Council, by *Mr Robertson*.

That they recede from their Amendments to the Bill, intituled, *An Act, for Amending the Act*, intituled, *An Act, concerning Tithables*; to which this House have disagreed; and have passed the Bill, with the Amendments agreed to, by the House.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Report to be made upon the Bill, for *further Continuing an Act, intituled, an Act for laying a Duty on Liquors*: And after some time spent therein, *Mr Speaker* resumed the Chair; and *Mr Fitzhugh* reported, from the Committee, several Amendments made to the Bill; which he read in his Place; and afterwards delivered in at the Table.

Resolved, That this House will take the said Report into Consideration, To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, November 30, 1738.

M*R. Pugh* presented to the House, according to Order, a Bill, for the Relief of those Persons who were sufferers in the Loss of the Records of the County of *Nansemond*, whose Cases have not been already provided for; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Woodbridge moved for Leave to bring in a Bill, for Explaining and Amending one Clause of an Act of Assembly, with Relation to Attachments, made in the Ninth Year of the Reign of *Queen Anne*, intituled, *An Act, for establishing County Courts, and regulating and settling their Proceedings therein*.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that the Committee for Courts of Justice, prepare and bring in the same.

The House being informed, That the Serjeant at Arms had sent his Messenger to take *William Burdett* into Custody; but that he absconds, and cannot be found.

Ordered,

Ordered, That it be an Instruction to the Committee for Public Claims, to enquire into the Matter; and to allow to the Serjeant at Arms what they think reasonable for his Expence and Trouble in fending for the said *William Burdett*, to be charg'd upon him, in the Book of Claims.

Mr Conway moved for Leave to present a Petition of *Orlando Payne*, setting forth his great Age and Poverty; and praying Relief of the Houfe:

And the Question being put, That the said Petition be brought to the Table?

It passed in the Negative.

The Houfe proceeded to the Consideration of the Amendments made by the Committee of the whole Houfe, to the Bill, *for further Continuing an Act*, intituled, *An Act, for laying a Duty on Liquors*; and the Amendments were twice read: And upon the Question severally put, agreed to, by the Houfe; and another Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Attorney-General reported, from the Committee, to whom the Bill to enable *Ralph Wormley, Esq;* to sell and dispose of certain entailed Lands, to raise Money for Payment of his Sisters Portions, and Performance of his Father's Will, was committed, That they had examined the Allegations of the Bill, which they found to be true; and had made several Amendments to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; w[h]ere the Amendments were again twice read: And upon the Question severally put, agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Attorney-General, from the Committee, to whom the Bill to prevent *Sherifs, and other Officers, from making unreasonable Seizures and Distresses, and other Purposes therein mentioned*; also reported, That they had made an Amendment to the Title, and several Amendments to the Body of the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read; and agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Attorney-General, with Leave of the Houfe, presented a Bill, *for Licensing Pedlars, and preventing Frauds in the Duties upon Skins and Furs*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, intituled, *An Act, for the better Preservation of Glebe Lands, and other Purposes therein mentioned*, was read the third Time; and an Amendment made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That *Mr Willis* do carry the Bill to the Council; and desire their Concurrence.

Mr Harrison presented to the Houfe, according to Order, a Bill, *for the more easy Payment of Public Dues*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered,

That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, December 1, 1738.

A Bill, intituled, *An Act, for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*, was read the third Time; and an Amendment made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That *Mr Corbin* do carry the Bill to the Council; and desire their Concurrence.

Mr

Mr Edmund Scarburgh presented to the House, according to Order, a Bill, for *Dissolving the present Vestry of the Parish of Accomack, and for a new Election of Vestrymen for the said Parish*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of William Norvell was presented to the House, and read; praying an Allowance for a Slave of his, who was committed to Goal, for stabbing one William Compton; which Slave died during his Confinement.

Ordered, That the said Petition be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of the Inhabitants of the Town of York, in the County of York, was presented to the House, and read; praying, That Leave may be given to bring in a Bill, for vesting Five Acres of Land, or thereabouts, in the Feoffees of the said Town, for a Common.

Ordered, That the said Petition be referred to the Consideration of the Committee for Courts of Justice: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That Gwyn Read be heard before the said Committee, upon the subject Matter of the said Petition, by himself, or his Counsel, if he thinks fit.

Mr Fitzhugh, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, the Petition of Mr Leonard Claiborne, to them referred; praying, That a public Ferry may be appointed from his Land, on the Upper Side of the Bridge Creek, across Pamunkey, to Gooch's Ferry; and were come to a Resolution to reject the said Petition.

Ordered, That the Consideration of the said Report be put off, 'til To-morrow.

Mr Fitzhugh presented to the House, according to Order, a Bill, for *further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The Treasurer laid his Accounts before the House; and the Titles of the said Accounts were read.

Ordered, That the said Accounts be referred to the Consideration of the Committee to whom it is referred, to prepare and draw up a State of the Duty upon Slaves; and the several Payments that have been made, with the Amount thereof: That they do examine the Articles of the said Accounts; and report the Ballance, as it shall appear to them, to the House.

Mr Conway moved for Leave to bring in a Bill, for appointing a Treasurer.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr Conway, and Mr Attorney-General, prepare and bring in the same.

Mr Blair, from the Committee for Public Claims, reported, That they had had under their Consideration, several Petitions to them referred; and agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table; where it was again read: And Part of the Report being read a second Time; the following Resolutions, upon the Question severally put, were agreed to, by the House.

Resolved, That the Petition of Benjamin Needler, to be allowed for a Slave, who ran away with another of his Slaves that was outlawed, and was killed in North Carolina, be Rejected.

Resolved, That the County of Caroline be allowed an additional Rent of Five Pounds per Annum, for Three Years last past, to re-imburse them the Expence of building Two more Houses; One at Roy's, the other at Conway's.

Resolved, That Mr Jonathan Gibson, be allowed an additional Rent of Six Pounds per Annum, for Two Years last past, for a new Warehouse built by him.

Resolved, That David Meriwether be allowed an additional Rent of Seven Pounds per Annum, for Three Years last past, for a Warehouse built by him, by Order of the County Court of Hanover.

Resolved,

Resolved, That Two Thousand One Hundred and Eighty Eight Pounds of Nett Tobacco, be allowed to *John Taliaferro*, late Sheriff of the County of *Caroline*, for what he has been obliged to pay, on Account of the Escape of one *Samuel Stone*.

Ordered, That it be an Instruction to the said Committee, to make the said several Allowances, in the Book of Claims.

Ordered, That the Consideration of the rest of the said Report be put off till To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, December 2, 1738.

THE House, according to Order, proceeded to the Consideration of the rest of the Report, from the Committee, for Public Claims; and the other Parts of the said Report were read; and the following Resolutions, upon the Question severally put, were agreed to by the House.

Resolved, That *Griffith Savage*, and *Henry Hickman*, be each of them allowed Three Hundred and Sixty Pounds of Tobacco, and Thirty Shillings Current Money; and that *Joseph Hickman*, and *William Parks*, be allowed Seven Hundred and Twenty Pounds of Tobacco, and Three Pounds Current Money, for their Ferriages and Attendance, as Witneses in the King's Suit, against *William Andrews*.

Resolved, That the sum of Seventy Seven Pounds Nineteen Shillings, be allowed to *Thomas Porter*, and *Howfen Hooe*, in Consideration of the Damages they have sustained, by becoming Securities to *John Lee*, High Sheriff of the County of *Stafford*, for *Joshua Davis* his faithful Execution of the Office of Under Sheriff, of the said County; and indemnifying the High Sheriff from Escapes.

Resolved, That an additional Rent of four Pounds *per Annum*, for Two years, ending the Tenth of *November*, 1738, be allowed to *George Brent*, for a new Warehouse, built by him since the last Session of Assembly.

Then a Debate arose upon the Resolution of the said Committee, upon the Petition of Mr *Secretary Carter*, to be allowed for providing Fire-Wood for his Office, for Fifteen Years past; and that an annual Sum may be settled, to defray the Expence thereof, for the future: And the Question was put, That the said Report be committed?

It passed in the Negative.

Then a Motion was made, and the Question put, That an annual Allowance be made to the Secretary, for providing Fire-Wood for his Office, for the future?

It passed in the Negative.

Resolved, That the said Petition be rejected.

Resolved, That an additional Rent of Five Pounds, for One Year, ending the Tenth of *November*, 1738, be made to Mr *Richard Kennon*, for a new Warehouse built by him; and that he be also allowed the Sum of Seven Pounds Ten Shillings, for the Use of other of his Houses, for Three Years past.

Resolved, That the County of *Surry* be allowed an additional Rent of Six Pounds *per Annum*, for a Warehouse built at the Charge of the County, at *Gray's Creek*.

Resolved, That the County of *King George* be allowed an additional Rent of Five Pounds *per Annum*, for Two Years last past, for a Warehouse built at the Charge of the County, at *Brays*: But that the Justices of the said County refund to the Proprietor of the other Houses, Six Pounds Thirteen Shillings and Four Pence, out of the said Rent, for so much by them already received out of the Rent established by Law, for the said other Houses.

Resolved, That an additional Rent of Three Pounds *per Annum*, for Two Years last past, be allowed to *Hugh West*, to be by him paid to the Justices of the County of *Prince William*, to reimburse the County the Charge they have been at, in building another Warehouse at *Hunting-Creek*, since the Reduction of the Rent at that Place.

Resolved,

Resolved, That an Allowance of Thirty Seven Pounds Five Shillings, be made to Mr *Richard Randolph*, in Consideration of what has been deducted out of the Rent of his Warehouses at *Warwick*, for the Hire of other Warehouses, and for a new Warehouse built by him there, since the Reduction of the Public Warehouse Rents.

Ordered, That it be an Instruction to the said Committee, to make the before mentioned Allowances in the Book of Claims.

Ordered, That that Part of the said Report which relates to the Memorial of Mr *William Johnson*, and Mr *Rice Curtis*, be committed to the said Committee.

The House, according to Order, also proceeded to the Consideration of the Report from the Committee of Propositions and Grievances, upon the Petition of Mr *Leonard Claiborne*, to them referred; and the Resolution of the said Committee was read: And after a Debate, upon the Question put, agreed to, by the House, as follows:

Resolved, That the said Petition be Rejected.

Ordered, That Mr *Sweney*, Mr *Westwood*, and Mr *Digges*, have Leave to be absent from the Service of the House, 'til *Tuesday* next.

Mr *Corbin*, from the Committee for Courts of Justice, reported, That they had had under their Consideration, the Petition of *John Steele*, to them referred: And were come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where it was again read: And upon the Question put, agreed to, by the House, as follows:

Resolved, That the Sum of One Hundred and Five Pounds and Five Pence, which the said *Steele* has already received from the Treasurer, is a sufficient Satisfaction for his Claim: And that therefore his said Petition be Rejected.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, several Petitions to them referred: And were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered the Report in at the Table; where it was again twice read, and agreed to, by the House, as follows:

Upon a Petition of *Francis Poythress*, and Others; praying, That a Public Ferry may be appointed over *James River*, from the Land of *Richard Bland*, in the County of *Prince George*, to Mrs. *Anderfon's* Land, in the County of *Charles City*:

Resolved, That the said Petition is reasonable.

Ordered, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, for appointing several Ferries, That they have Power to receive a Clause, for appointing a Ferry, according to the Prayer of the said Petition.

Upon Consideration of the Petition of the Churchwardens and Vestrymen of the Parish of *St. Paul*, in the County of *Hanover*; praying, That Leave may be given to bring in a Bill, to enable them to sell two inconvenient Tracts of Land therein mentioned; and to purchase a more convenient Tract, for a Glebe:

Resolved, That the said Petition is reasonable.

Ordered, That it be an Instruction to the Committee, to whom the Bill, for *Dividing the Parishes of Southwark, and Lawn's Creek, and other Purposes therein mentioned*, is committed, That they have Power to receive a Clause or Clauses, to enable the Vestry of the said Parish of *St. Paul*, in the County of *Hanover*, to sell the said two inconvenient Tracts of Land, and to purchase a more convenient Tract, for a Glebe, for the said Parish, according to the Prayer of the said Petition.

A Petition of *John Martin*, praying an Allowance for a new Warehouse built by him, at *Maddox Ferry*, by Order of the County Court of *Westmoreland*, since the Reduction of the Public Warehouse Rents:

Also a Petition of *Jethro Sumner*; setting forth, That the County Court of *Nansemond*, have taken from him a considerable Part of the Rent of the Public Warehouses, at *Constance's*, on Account of another Warehouse lately built there, at the Charge of the said County; and praying the Consideration of the House therein; were severally presented to the House, and read.

Ordered,

Ordered, That the Consideration of the said several Petitions, be referred to the Committee for Public Claims: That they do examine the Matter of the said Petitions respectively; and report the same, as it shall appear to them, with their Opinions thereupon, to the House.

A Message from the Council, by Mr *Robertson*:

That they have made several Amendments to the Bill, *for the better Regulation of the Militia*; to which they desire the Concurrence of this House.

Ordered, That no Petition be received after *Tuesday* next.

A Bill, intituled, *An Act, to restrain Sheriffs, and other Officers, from making unreasonable Seizures or Distresses, and for other Purposes therein mentioned*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Randolph* do carry the Bill to the Council; and desire their Concurrence.

A Motion being made, the Question was put, That the House be called over? It passed in the Negative.

Ordered, That the House be called over on *Monday* next.

A Bill, intituled, *An Act, for further Continuing and Amending an Act, intituled, An Act, for laying a Duty on Liquors*, was read the third time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act, to enable Ralph Wormley, Esq; to sell certain entailed Lands, to raise Money for Payment of his Sisters Portions, and Performance of his Father's Will*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Attorney-General* do carry the Bills to the Council; and desire their Concurrence.

A Bill, *for the more easy Payment of Public Dues*, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr *Harrison*,

Mr *Conway*,

Mr *Blair*,

Mr *Hedgman*, and

Mr *McCarty*.

Mr *Attorney-General* presented to the House, according to Order, a Bill, *for making more convenient several Counties in the Northern Neck, and settling the Bounds of other Counties in the said Neck*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, *for Licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs*, was read the second Time.

Ordered, That the Bill be committed to Mr *Attorney-General*, and Mr *Blair*.

A Bill, *for Dissolving the present Vestry of the Parish of Accomack, and for a new Election of Vestrymen for the said Parish*; was read the second Time; and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill be ingrossed.

Ordered,

That the House be adjourned 'til *Monday Morning*, Eleven o'Clock.

Monday, December 4, 1738.

MR. *Booker* moved for Leave to bring in a Bill, for Altering *Amelia Court Day*.

Ordered, That it be an Instruction to the Committee to whom it is referred to prepare and bring in a Bill, for Explaining and Amending one Clause of an Act of Assembly, with Relation to Attachments, made in the Ninth Year of the Reign of Queen *Anne*, intituled, *An Act, for establishing County Courts, and for regulating and settling their Proceedings*, That they have Power to receive a Clause, for altering the said Court Day.

MR

Mr *Curter* presented to the House, according to Order, a Bill, for amending and further continuing an Act, intituled, *An Act, for laying a Duty upon Slaves*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of the lower Inhabitants of *New-Kent*, and *James-City* Counties, was presented to the House, and read; praying, That the Public Warehouse at *Taskanask* may be continued.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances, to whom the Petition of the Inhabitants of the Parish of *Blissland*, in the said County of *New-Kent*, for repealing the said Warehouse, is referred.

Mr *Fitzhugh* reported, from the Committee, to whom the Bill, for amending the Act, intituled, *An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks*, was committed, That they had made an Addition to the Title, and several Amendments to the Body of the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where they were again read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Conway* presented to the House, according to Order, a Bill, for amending an Act, intituled, *An Act, for Encouragement of building Water-Mills*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Memorial of Mr *Thomas Price*, and Mr *Edmund Berkley*, the Representatives of the County of *Middlesex*, was presented to the House, and read; praying, That the said County may be re-imburfed the Charge they have been at, in hiring Warehouses, and building a new Warehouse, at *Urbanna*.

Ordered, That the said Memorial be referred to the Consideration of the Committee for Public Claims: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of *Matthew Kemp*, Clerk of the Secretary's Office, was presented to the House, and read; praying, That his usual Allowance may be levied for him; and that, in Regard to the Increase of the Business of that Office, such further Allowance may be made him, as the House shall think reasonable.

Resolved, That an additional Allowance of Two Thousand Five Hundred Pounds of Tobacco, *per Annum*, be made to the said Clerk.

Ordered, That it be an Instruction to the Committee for Public Claims to make the usual Allowance to the said *Matthew Kemp*, in the Book of Claims.

Ordered, That it be also an Instruction to the said Committee, to make him the said further Allowance.

Mr *Randolph*, from the Committee, to whom the Bill, for appropriating a Sum of Money therein mentioned, to the Use of the Parish of *St. Andrew*, in the County of *Brunswick*, was committed, reported several Amendments made to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, for the better Regulation of the Militia; and the Amendments were twice read: And upon the Question severally put, some of them were agreed to, and others disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, that this House have agreed to some and disagreed to other of the Amendments by them proposed to the said Bill; and desire they will pass the Bill, with the Amendments agreed to by this House: And that Mr *Carter* go up with the Message.

A Message from the Council, by M^r Robertson:

That they have made several Amendments to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands, and for other Purposes therein mentioned.*

Also to the Bill, intituled, *An Act, for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned;* to which they desire the Concurrence of this House.

A Petition of *George Douglas*, was presented to the House, and read; complaining of an undue Election and Return of M^r *Edmund Scarborough*, to serve as a Burgess in this present General Assembly, for the County of *Accomack*.

Ordered, That the said Petition be referred to the Consideration of the Committee of Privileges and Elections: That they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

The House, according to Order, was called over, and the Names of the absent Members were again called over; and Excuses made for such of them as were absent, without the Leave of the House; which were allowed.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Tuesday, December 5, 1738.

A Petition of *John Wallop*, and *Mary Kendall*, in Behalf of her Son *Joshua Kendall*, an infant, was presented to the House, and read; praying, That Leave may be given to bring in a Bill, to dock the Entail of Three Hundred Acres of Land, in the County and Parish of *Accomack*, Parcel of a greater Tract; and for vesting the same in the said *Joshua Kendall*, in Fee Simple, upon the said *John Wallop's* settling an Equivalent, in Slaves, to the Uses of the remaining entailed Lands.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and that M^r *Bowdoin* prepare and bring in the same.

M^r *Fitzhugh* presented to the House, according to Order, a Bill, *for appointing several new Ferries, and discontinuing a former Ferry;* and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

A Petition of *George Douglas*, and *William Arbuckle*, was presented to the House, and read; praying, That the Day for holding Courts in the County of *Accomack*, be altered.

Ordered, That it be an Instruction to the Committee to whom it is referred to prepare and bring in a Bill, for Explaining and Amending one Clause of an Act of Assembly, with relation to Attachments, made in the Ninth Year of the Reign of Queen *Anne*, intituled, *An Act for Establishing County Courts, and Regulating and Settling their Proceedings therein*, That they have Power to receive a Clause, for Altering the said Court Day.

A Petition of *William Parks*, was presented to the House, and received; praying, That in Regard to the Increase of his Business, in printing those Things which are to be printed, at the Public Expence; and the taking off the Draw-back of the Duty upon Paper, an additional Salary may be allowed him.

Ordered, That the said Petition do lie on the Table, to be perused by the Members of the House.

A Bill, *for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*, was read the second Time.

Ordered, That the Bill be committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee: And after some Time spent therein, M^r *Speaker* resumed the Chair; and M^r *Fitzhugh* reported from the Committee,

mittee, That they had had the said Bill under their Consideration, and had made some Progress therein: But not having Time to go through the same, the Committee had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee of the whole House, to consider further of the said Bill, To-morrow.

A Message from the Council, by Mr *Robertson*:

That they recede from their Amendments to the Bill, intituled, *An Act, for the better Regulation of the Militia*, to which this House have disagreed; and have passed the Bill, with the Amendments agreed to, by this House.

That they have made some Amendments to the Bill, intituled, *An Act, to enable Ralph Wormley, Esq; to sell certain entailed Lands, to raise Money for Payment of his Sisters Portions, and Performance of his Father's Will*; to which they desire the Concurrence of this House.

And that they have passed the Bill, intituled, *An Act, to restrain Sheriffs, and other Officers, from making unreasonable Seizures or Distresses, and for other Purposes therein mentioned*, without any Amendment.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, a Petition of divers Inhabitants of the Parish of *Blissland*, in the County of *New-Kent*, for repealing the Public Warehouse at *Taskanask*: And also a Petition of sundry Inhabitants of the Counties of *James-City*, and *New-Kent*, for continuing the said Warehouse: And agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the Report do lie on the Table, to be perused by the Members of the House.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, December 6, 1738.

A Member informed the House, That Mr *Henry Willis* had publicly said, that Mr *Johnston*, a Member of this House, when an Inspector, had been guilty of a Breach of his Oath, and Duty, in the Execution of that Office.

And the House being also acquainted, That *Benjamin Winslow* had uttered several contemptuous and scandalous Speeches, reflecting upon some particular Members, and this House in general, in Breach of the Privileges of this House:

Ordered, That the said several Matters be referred to the Consideration of the Committee of Privileges and Elections: That they inquire into the same; and make Report of each particular Case, as it shall appear to them, with their Opinions thereupon, to the House.

Ordered, That it be an Instruction to the said Committee, That they examine all Witnesses concerning the same, in the most solemn Manner.

Mr *Conway* presented to the House, according to Order, a Bill, *for appointing a Treasurer*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Ordered, That an Address be made to the Governor, to order the proper Officers, to deliver Quarterly, to the Printer of the Acts of the General Assembly, and Journals of this House, an Account of all Goods, or other Commodities, imported, or exported, in their several Districts: And that Mr *Isham Randolph*, and Mr *Carter*, do wait on the Governor with the said Address.

Mr *McCarty* reported, That the Persons appointed, had, according to Order, addressed the Governor, to remove those Persons from all Offices, who, having been Inspectors, have been put out of that Office, upon a Complaint: And that he was
pleased

pleaded to say, he should always think an Inspector that behaves in such a Manner, as to be turn'd out of his Office, unworthy to hold any Commission.

A Bill, for making more convenient several Counties in the Northern-Neck; and settling the Bounds of other Counties in the said Neck, was read the second Time.

Ordered, That the Bill be committed to the Committee who prepared it.

Mr *Hedgman* moved for Leave to bring in a Bill, for dividing the County of *Prince William*.

Ordered, That Leave be given to bring in a Bill, according to the said Motion: And that Mr *Hedgman*, Mr *Valentine Peyton*, Mr *Conway*, and Mr *Turner*, prepare and bring in the same.

Mr *Isham Randolph* reported, That the Persons appointed, had, according to Order, addressed the Governor, to order the proper Officers to deliver Quarterly, to the Printer of the Acts of the General Assembly, and the Journals of this House, Accounts of all Goods or other Commodities, imported, or exported, in their several Districts.

And that the Governor was pleased to say, he would give orders accordingly.

Mr *Blair*, from the Committee for Public Claims, reported, That they had had under their Consideration several other Petitions, and the Memorial of the Representatives of the County of *Middlesex*, to them referred, and also the Report of the said Committee, upon the Memorial of the Representatives of the County of *Spotsylvania*, to them committed: And agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table: And the Report being read a second Time, the following Resolutions were agreed to, by the House.

Resolved, That *John Martin* be allowed an additional Rent of Four Pounds, for One Year last past, for building another Warehouse at *Maddox Ferry*, by Order of the County Court of *Westmoreland*.

Resolved, That an Allowance of Fifty Shillings per Annum, for Two Years last past, be made to the County of *Middlesex*, for an additional Building made to the Public Warehouse at *Urbanna*; and of Six Pounds Three Shillings and Six Pence, for the Hire of other Houses for the Inspection of Tobacco.

Resolved, That an Allowance of Four Pounds per Annum, for Two Years last past, be made to the County of *Nansemond*, for building another Warehouse; and of Ten Shillings for One Year last past, for building a Shed at *Constance's*; and that the County reimburse *Jethro Sumner* what they have received out of the Rents of the other Warehouses, to this Time.

Ordered, That it be an Instruction to the said Committee, to make the said Allowances in the Book of Claims.

The House proceeded to the Consideration of the Report from the Committee of Propositions and Grievances, upon the Petition of the Inhabitants of the Parish of *Blissland*, in the County of *New-Kent*, for repealing the Public Warehouse at *Taskanask*; and the Report was again read: And after a Debate, upon the Question put, agreed to, by the House, as follows.

Resolved, That the said Warehouse be discontinued, and another instead thereof, appointed at the *Brick-house*.

Ordered, That it be an Instruction to the Committee, to whom the Bill, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs, is committed, That they have Power to receive a Clause for repealing the Public Warehouse at *Taskanask*, and appointing another instead thereof, on the Land of Col. *Basset*, at the *Brick-house*.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Bill, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported, from the Committee, That they had had the said Bill under their further Consideration.

Consideration, and made a further Progress therein: But not having Time to go thro' the same, the Committee had directed him to move for Leave to sit again.

Resolved, That the House will again resolve itself into a Committee of the whole House, to consider further of the said Bill, To-morrow.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Thursday, December 7, 1738.

A Bill, intituled, *An Act, for Dissolving the present Vestry of the Parish of Accomack, and for a new Election of Vestrymen for the said Parish*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Edmund Scarborough do carry the Bill to the Council; and desire their Concurrence.

Mr Fitzhugh, from the Committee, to whom the Bills, *for erecting two new Counties and Parishes, and granting certain Encouragements to the Inhabitants thereof: And for dividing the Parishes of Southwark, and Lawn's Creek, and other Purposes therein mentioned*, were committed, reported, That they had made several Amendments to both the Bills: And he read the Amendments in his Place; and afterwards delivered the Bills, with the Amendments, in at the Table.

Mr Doran mov'd for an Instruction to the Committee to whom the Petition for dividing the County of *Hanover*, is referred, concerning the taking Part of the said County, into the County of *New-Kent*:

And upon the Question put, That the Consideration of the said Motion be referred to the said Committee? It passed in the Negative.

The House, according to Order, resolved itself into a Committee of the whole House, further to consider the Bill, *for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*: And after some Time spent therein, Mr Speaker resumed the Chair; and Mr Fitzhugh reported, from the Committee, That they had had the said Bill under their further Consideration, and gone thro' the same, and made several Amendments to the Bill; which he was ready to report.

Ordered, That the Report be made To-morrow.

Ordered, That it be a standing Order of this House, That when, upon any Matter referred to a Committee, they shall think proper to send for any Person to appear before them, their Orders or Summons shall be executed by the Serjeant at Arms, or some other Person by him appointed, to execute the same.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, December 8, 1738.

A Bill, intituled, *An Act, for appropriating a Sum of Money therein mentioned, to the Use of the Parish of St. Andrew, in the County of Brunswick*, with the Amendments, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Conway do carry the Bill to the Council; and desire their Concurrence.

Mr Corbin, from the Committee for Courts of Justice, reported, That they had had under their Consideration, the Petition of the Inhabitants of the Town of *York*, to them referred; praying Leave to bring in a Bill, for vesting Five Acres of Land, in the Feoffees
of

of the said Town, to be and remain as a Common, for the Use of the said Town, for Ever, upon the Petitioners paying *Gwyn Read* such Sum of Money, as the House shall think reasonable; and had heard, as well the Petitioners, by their Counsel, as the said *Gwyn Read*, by his Counsel, against the said Petition: And agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table; where it was again read, as follows:

That it appears to the Committee, That, by an Act of the General Assembly, made at *James-City*, in the Year of our Lord, 1680, *for Cohabitation, and Encouragement of Trade and Manufacture*: It is Enacted, *That Fifty Acres of Land should be purchased by the Feoffees of the several Counties, and laid out and appointed, for a Town, for Store-houses; particularly in York County, on Mr Read's Land, where the Ship Honour's Store was, including the Low Beech, for Landing and Wharfs, and the Old Field where Webber dwell, for Cohabitation.*

That by the Act of 1691, intituled, *An Act for Ports*: It is Enacted, *That the several nominated Ports, Wharfs, Keys, and Places, therein after named and set down, be, are, and shall be, the Ports, Wharfs, Keys, and Places,* appointed by that Act: Which said Act appoints the Port for *York County*, upon *Benjamin Read's* Land, beginning at the Lower Side of *Smith's Creek*, and running downwards, by the River, towards the Ferry.

That after the passing of the said last mentioned Act, *Lawrence Smith*, then Surveyor of the said County of *York*, did survey and lay out Fifty Acres of Land, to be divided into Lots and Streets; and about Five Acres more upon the Face of the River, being most of it narrow Points, unfit for Habitation, for the common Benefit of such Persons as then were, or thereafter should be, Inhabitants of the said Town: And that afterwards, the said *Benjamin Read*, by Deed, bearing Date the Eighteenth Day of *August*, in the Year last mentioned, referring to the said *Smith's* Survey, did convey to *Joseph Ring*, and *Thomas Ballard*, of the County of *York*, Feoffees in Trust, appointed by the said County Court, Fifty Acres of Land, be the same more or less, extending to, and by the Low-Water Mark.

That by another Act, made in the Year 1705, *for confirming Titles to Town-Lands*, all Lands which have been purchased, in pursuance of the said last mentioned Act, are declared to be vested in the respective Feoffees, or those that have been purchased under them, in Fee Simple.

That it likewise appears to have been the Intent and Design of the said *Benjamin Read*, that the said Five Acres, between the Lines of the said Fifty Acres, proposed to be laid out into Lots and Streets, and the River, should pass to the said Feoffees, with the said Fifty Acres.

But in Regard that the said *Gwyn Read* claims a Title to the before mentioned Five Acres of Land, as Heir in Tail, the Committee submit to the Judgment of this House, whether it be reasonable to bring in a Bill according to the Prayer of the said Petition.

Ordered, That Leave be given to bring in a Bill according to the Prayer of the said Petition; and that *Mr Conway*, *Mr Attorney-General*, *Mr Fitzhugh*, *Mr Digges*, and *Mr Buckner*, prepare and bring in the same.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for the better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned*; and the Amendments were twice read: And upon the Question severally put, disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have disagreed to the Amendments by them proposed to the said Bill; and desire they will pass the Bill, without those Amendments: And that *Mr Corbin* go up with the Message.

Mr Fitzhugh, according to Order, reported several Amendments made by the Committee of the whole House, to the Bill, *for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs;* and

and he read the Amendments in his Place; and afterwards delivered the Amendments in at the Table; where they were again twice read: And upon the Question severally put, agreed to, by the House; and some further Amendments were made to the Bill at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Conway*, from the Committee of Privileges and Elections, reported, That they had had under their Consideration, the Information made to the House, that Mr *Henry Willis* had said, that Mr *Johnston*, a Member of this House, when an Inspector, had been guilty of a Breach of his Oath, and Duty, in the Execution of that Office; and were come to a Resolution thereupon.

Ordered, That the Report do lie on the Table, to be perused by the Members of the House.

Mr *Blair*, from the Committee of Public Claims reported, That they had had under their Consideration, several other Petitions to them referred; and were come to several Resolutions thereupon; which he read in his Place; and afterwards delivered the Report in at the Table; where the Resolutions were again twice read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That the County of *Nansemond*, having built Two new Warehouses, One at *Sleepy Hole*, the other at *Lawrence's*, be allowed an additional Rent of Three Pounds Ten Shillings *per Annum*, for each of the said Houses, for Three Years last past.

Resolved, That *William Norvell* be allowed the Sum of Twenty Pounds Current Money, for his Slave, who being committed to Goal, for stabbing one *William Compton*, died during his Confinement.

Mr *Blair* also reported from the said Committee, That upon the examining the Memorial of Mr *William Johnston*, and Mr *Rice Curtis*, to them also referred, Col. *Henry Willis*, Proprietor of the Land whereon the Warehouses at *Fredericksburg* are built, appeared before the said Committee, and agreed to re-imburse the County of *Spotsylvania* the Charge of building Three new Warehouses, and of hiring other Houses for the Reception of Tobacco brought thither to be Inspected; and to build what other Houses shall be wanting for the future; in Consideration of the additional Rent to be allowed for the said new built Houses, and the Hire of the other Houses; which was agreed to, by the said Memorialists, in Behalf of that County: And that the Committee had come to a Resolution thereupon; which he read in his Place; and afterwards delivered in at the Table; where it was again read; and agreed to, by the House, as follows.

Resolved, That an Allowance of Ten Pounds *per Annum*, for Two Years last past, be made to the said *Willis*, as an additional Rent for the said new Houses already built; and of Two Thousand Eight Hundred and Fifty Six Pounds of Tobacco, for the Hire of the other Houses; and that he re-imburse the said County what Expence it hath been at in the Premises, which amounts to Thirteen Thousand One Hundred and Fifty Seven Pounds of nett Tobacco: And for what other Houses the said *Willis* shall hereafter build by Order of the Court, he be thereafter allowed for the same.

Ordered, That it be an Instruction to the said Committee, to make the said several Allowances in the Book of Claims.

Mr *Blair* acquainted the House, That upon examining the Book of Claims of the last Session, it appears, That the Claim of some Persons being charged in Two Counties, have been twice levied.

Ordered, That it be also an Instruction to the said Committee, to charge such Persons with the Surplus of the Tobacco so levied, as they shall find to be chargeable therewith, in the Book of Claims.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday,

Saturday, December 9, 1738.

MR. *Conway*, from the Committee of Privileges and Elections, reported, That they had had under their Consideration, the Petition of *Mr George Douglas*, to them referred; complaining of an undue Election and Return of *Mr Edmund Scarburgh*, to serve as a Burgess in this present General Assembly, for the County of *Accomack*, in the Room of *Mr Sacker Parker*, deceased; and had heard, as well the fitting Member, as the said *Douglas*, by their Counsel, and examined several Witneses touching the Matter of the said Complaint: Whereupon, it appears to the Committee, that the fitting Member did Twice, between the Death of the said *Parker*, and the Teste of the Writ, give strong Liquors to the People of the said County; once at a Race, and the other Time at a Muster; and did, on the Day of Election, cause strong Liquor to be brought in a Cart, near the Court-house Door, where many People drank thereof, whilst the Polls of the Election were taking; and one Man, in particular, said, *Give me a Drink, and I will go and vote for Col. Scarburgh*, (meaning the fitting Member;) and Drink was accordingly given him out of the said Cart, where several People were merry with Drink: But it doth not appear, whether that Person voted for the said *Scarburgh*, or not; or was a Freeholder: It also appears to the Committee, That the Liquors given, as aforesaid, at the Race and Muster, and the Liquor brought to the Election, and given whilst the Polls were taking, were given with Design to procure the fitting Member to be elected: Therefore, upon the whole Matter, the Committee have come to the following Resolution:

Resolved, That it is the Opinion of this Committee, That *Mr Edmund Scarburgh* is not duly elected, and returned a Burgess to serve in this present General Assembly, for the County of *Accomack*: And he read the Report in his Place; and afterwards delivered it in at the Table; where the same was again read.

And *Mr Scarburgh* was heard in his Place, and then withdrew: And a Clause in an Act of the General Assembly, made in the Fourth Year of the Reign of the late Queen *Anne*, for regulating the Election of Burgesses; for settling their Privileges, and for ascertaining their Allowances, was read.

And after a Debate, the Question being put, That the House agree to the said Resolution?

It passed in the Negative.

Resolved, That *Mr Edmund Scarburgh* is duly elected, and returned a Burgess to serve in this present General Assembly, for the County of *Accomack*, in the Room of *Mr Sacker Parker*, deceased.

Ordered, That the Serjeant at Arms, with the Mace, introduce the said *Scarburgh* to his Place in the House.

Mr Carter reported, That the Committee to whom it is referred, to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, had had under their Consideration the Treasurer's Accounts, and examined the several Articles thereof; which they find to be just: And that the Balance remaining in his Hands, is Five Thousand Seven Hundred and Nineteen Pounds Two Shillings.

Mr Harrison reported, from the Committee, to whom the Bill, for the more easy Payment of Public Dues, was committed, several Amendments made to the Bill: And he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

Ordered, That it be an Instruction to the Committee for Public Claims, to make an Allowance of Twelve Pounds to the County of *James-City*, for a new Set of Weights and Scales.

A Bill, appointing a Treasurer, was read a second Time, and the Blanks in the Bill filled up; and several Amendments were made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr *Boush* presented to the House, according to Order, a Bill, *to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay, on board any Ship or Vessel, from serving in the Militia;* and the same was received.

Mr *Fitzhugh*, from the Committee of Propositions and Grievances, reported, That they had had under their Consideration, several Petitions of divers of the Inhabitants of the Counties of *Hanover* and *Goochland*, to them referred, in Relation to the Division of the said County of *Hanover*: And agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the said Report do lie on the Table, to be perused by the Members of the House.

A Bill, intituled, *An Act, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs,* with the Amendments, was read the third Time; and an Amendment was made, and the Blank in the Bill, filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Fitzhugh* do carry the Bill to the Council; and desire their Concurrence.

Mr *Hedgman* presented to the House, according to Order, a Bill, *for dividing Prince William County;* and the same was received.

Ordered, That Mr *Boush*, and Mr *Hutchins*, have Leave to go home for the Recovery of their Healths.

Ordered,

That the House be adjourned 'til Monday Morning, Eleven o'Clock.

Monday, December 11, 1738.

A Message from the Council, by Mr *Robertson*:

That they have passed the Bill, intituled, *An Act, for Continuing and Amending an Act, intituled, An Act, for laying a Duty on Liquors.*

That they have agreed to the Resolve of this House, for paying One Hundred Pounds to Mr *John Tennent*.

And That they insist on their Amendments to the Bill, *for better Regulating and Collecting certain Officers Fees, and other Purposes therein mentioned;* and desire this House will pass the Bill, with those Amendments.

Upon a Motion, the House was called over, and the Names of the absent Members were again called over; and Excuses made for some of them, who were absent, without the Leave of the House; which were allowed.

Ordered, That Mr *Smith*, Mr *Marrable*, Mr *Gray*, Mr *Simmons*, Mr *Claiborne*, Mr *Price*, Mr *Berkeley*, Mr *Ruffin*, Mr *Haynes*, and Mr *Buckner*, be taken into Custody of the Serjeant at Arms, for absenting themselves from their Duty in the Service of the House.

Mr *Corbin* presented to the House, according to Order, a Bill, *declaring the Law concerning Attachments, and altering the Court Days in the Counties of Accomack and Amelia;* and the same was received.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands; and for other Purposes therein mentioned;* and the Amendments were twice read: And upon the Question severally put, disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have disagreed to their Amendments to the said Bill; and desire they will pass the Bill, without those Amendments: And that Mr *Harrison* go up with the Message.

The House also proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, to enable Ralph Wormeley, Esq; to sell and dispose of*

of certain entailed Lands, to raise Money for the Payment of his Sisters Portions, and Performance of his Father's Will: And the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to their Amendments to the said Bill: And that Mr Attorney-General go up with the Message.

The House being informed, That Mr Smith, and Mr Buckner, attended in Custody:

Ordered, That they be discharged out of Custody, paying Fees.

A Bill, intituled, *An Act, for amending the Act, intituled, An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks; and for making more effectual Provision for the keeping Mill Dams in good Repair*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Conway do carry the Bill to the Council; and desire their Concurrence.

The House being informed, That Mr Berkley, Mr Marrable, and Mr Price, attended in Custody:

Ordered, That they be discharged out of Custody, paying Fees.

The House proceeded to the Consideration of that Part of the Message from the Council, which relates to the Amendments by them proposed to the Bill, for better regulating and collecting certain Officers Fees, and other Purposes therein mentioned.

Ordered, That a Message be sent to the Council, to acquaint them, That this House do insist on their Disagreement to those Amendments: And that Mr Corbin go up with the Message.

Mr Conway presented to the House, according to Order, a Bill, for better securing the Title of certain Lands to the Feoffees of the Town of York; and for settling the same for a Common, for the Use of the Inhabitants of the said Town; and the same was received, and read the first Time.

A Motion being made,

Ordered, That Gwyn Read be heard by his Counsel, against the passing the said Bill, at the Bar of the House.

Accordingly the Counsel was called in; and being heard, withdrew.

Ordered, That the Bill be read a second Time.

The House being informed, That Mr Simmons, Mr Haynes, and Mr Claiborne, attended in Custody:

Ordered, That they be discharged out of Custody, paying Fees.

A Message from the Council, by Mr Robertson:

That they have passed a Bill, intituled, *An Act, for the better Preservation of the Breed of Deer; and preventing unlawful Hunting*; to which they desire the Concurrence of this House:

And that they recede from their first Amendment to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands; and for other Purposes therein mentioned*; and desire this House will pass the Bill, with the rest of their Amendments.

The House being informed, That Mr Eppes, and Mr Ruffin, attended in Custody:

Ordered, That they be discharged out of Custody, paying Fees.

The House proceeded to the Consideration of the Amendment to the Bill, for dividing the Parishes of Southwark, and Lawn's Creek, and other Purposes therein mentioned; and the Amendment was twice read: And upon the Question put, agreed to, by the House.

Ordered, That the Bill, with the Amendment, be ingrossed.

The House also proceeded to the Consideration of the Amendments to the Bill, for the more easy Payment of Public Dues; and the Amendments were twice read: And upon the Question severally put, agreed to, by the House; and an Amendment was made, and the Blank in the Bill filled up at the Table.

Ordered,

Ordered, That the Bill, with the Amendments, be ingrossed.

Then the House proceeded to the Consideration of the Report from the Committee of Propositions and Grievances, upon the Petitions of divers of the Inhabitants of the Counties of *Hanover* and *Goochland*, in Relation to the Division of the said County of *Hanover*: And the Resolutions of the said Committee were twice read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That the several Petitions of the Inhabitants of the said Counties of *Hanover* and *Goochland*, praying a Division of Part of the said County of *Hanover*, together with Part of the said County of *Goochland*, into Two distinct Counties, be Rejected.

Resolved, That the said County of *Hanover* be divided into Two distinct Counties, by a straight Course, to be run from the Mouth of *Elk* Creek, on the River *Northanna*, to the Mouth of *Cubb* Creek, on the River *Souhanna*; thence by a straight Course, crossing that River, to *Owen's* Creek Bridge, on the County Main Road; and from thence, the first Course continued, 'til it intersects the Line of *Goochland* County.

Ordered, That Leave be given to bring in a Bill, according to the said Resolution: And that the Committee of Propositions and Grievances prepare and bring in the same.

Mr *Bowdoin* presented to the House, according to Order, a Bill, for vesting Three Hundred Acres of Land, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seized, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands; and the same was received.

A Bill, for dividing Prince William County, was read the first Time.

Ordered, That the Bill be read a second Time.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Tuesday, December 12, 1738.

THE House proceeded to the Consideration of the Report from the Committee of Privileges and Elections, touching what Mr *Henry Willis* had said, concerning Mr *Johnston*: And the Report was read, as follows:

The Committee of Privileges and Elections have had under their Consideration, the Information to them referred, That Mr *Henry Willis* had publicly said, that Mr *Johnston*, a Member of this House, when an Inspector, had been guilty of a Breach of his Oath, and Duty, in the Execution of that Office; and have heard, as well the said *Willis*, as the said *Johnston*, and examined several Witneses upon the Matter of the said Information: Whereupon, it does not appear to the Committee, That the said *Willis* uttered any Words, as of his own Knowledge, charging the said *Johnston* with a Breach of his Oath, or Duty, as aforesaid: But it appears, That one *Battle* had formerly raised a Report against the said *Johnston*, to that Effect; which the said *Willis* mentioned in Conversation, without Design of fixing any Odium on Mr *Johnston*: And the Resolutions of the said Committee were twice read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That Mr *Willis*, in mentioning the said Report, in the Manner he did, is not faulty.

Resolved, That Mr *Johnston* hath sufficiently cleared his Reputation against the Aspersions cast upon him, by the said Report.

Mr *Fitzhugh* presented to the House, according to Order, a Bill, for dividing Hanover County; and erecting the Upper Part thereof, into a distinct County.

And also a Bill, for the Encouragement of certain Foreign Protestants; and the same were received.

The

The House proceeded to the Consideration of the Amendments to the Bill, for *erecting Two new Counties and Parishes; and granting certain Encouragements to the Inhabitants thereof*: And the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

A Bill, for *dividing Hanover County; and erecting the Upper Part thereof, into a distinct County*, was read the first Time.

Ordered, That the Bill be read a second Time.

And the Bill was read the second Time accordingly.

Ordered, That the Bill be committed to the Committee who prepared it.

Ordered, That it be an Instruction to the said Committee, That they have Power to receive a Clause, for making the new County one entire Parish.

A Bill, for *the Encouragement of certain Foreign Protestants*, was read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, for *vesting Three Hundred Acres of Land, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seized, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands*, was read the first Time.

Ordered, That the Bill be read a second Time.

An ingrossed Bill, from the Council, intituled, *An Act, for the better Preservation of the Breed of Deer; and preventing unlawful Hunting*, was read the first Time.

Ordered, That the Bill be read a second Time.

Mr Carter reported from the Committee to whom the Bill, for *making more convenient several Counties in the Northern Neck, and settling the Bounds of other Counties in the said Neck*, was committed, That they had made an Amendment to the Title, and several Amendments to the Body of the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

A Bill, for *dividing Prince William County*, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Carter,

Mr Valentine Peyton, and

Mr Fitzhugh,

Mr Hedgman.

The House proceeded to the Consideration of that Part of the Message from the Council, which relates to the Amendments by them proposed, to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands; and for other Purposes therein mentioned*.

Ordered, That a Message be sent to the Council, to acquaint them, That this House recede from their Disagreement to one of the Amendments; and insist on their Disagreement to the other Amendment, insisted on by the Council: And that Mr Conway go up with the Message.

A Bill, *declaring the Law concerning Attachments, and altering the Court-Days in the Counties of Accomack, and Amelia*, was read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, *to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay, on board any Ship or Vessel, from serving in the Militia*, was read the first Time.

Ordered, That the Bill be read a second Time.

Mr Blair, from the Committee for Public Claims, reported, That the Committee had examined and considered all the Public Claims which had been laid before them this Session: And agreed upon a Report; which they had entered in a Book; and he delivered the Book in at the Table.

Ordered, That the Report do lie on the Table, to be perused by the Members of the House.

A Bill, for amending the A^d, intituled, *An A^d, for Encouragement of building Water-Mills*, was read the second Time.

Ordered, That the Bill be ingrossed.

Mr Attorney-General, from the Committee, to whom the Bill, for *Licensing Pedlars, and preventing Frauds in the Duties upon Skins and Furrs*, was committed, reported several Amendments to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

It being reprefented to the Houfe, that various Opinions are entertained, concerning the Obligation of the Oath of a Burgefs: And a Motion being made, that it may be enquired from whence it proceeds, that That Oath is and has been adminiftr[e]d to the Members of this Houfe?

Ordered, That the Committee of Privileges and Elections enquire into that Matter: That they fearch the Journals of former Affemblies; and report what they fhall find relating thereto, with their Opinion thereupon, to the Houfe.

Ordered,

That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, December 13, 1738.

A Bill, intituled, *An A^d, for the more eafy Payment of Public Dues*, with the Amendments, was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That Mr Harriſon do carry the Bill to the Council; and defire their Concurrence.

Ordered, That a Meſſage be ſent to the Council, to defire them to acquaint this Houfe, what they have done upon the Bill, intituled, *An A^d, for appropriating a Sum of Money therein mentioned, to the Uſe of the Pariſh of St. Andrew, in the County of Brunfwick*: And that Mr Harriſon go up with the Meſſage.

Mr Carter, from the Committee, to whom the Bill, for *dividing Prince William County*, was committed, reported an Amendment to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendment, in at the Table.

A Bill, intituled, *An A^d, for dividing the Pariſhes of Southwark, and Lawn's Creek, and other Purpoſes therein mentioned*, with the Amendments, was read the third Time, and the Blanks in the Bill, filled up at the Table.

Resolved, That the Bill do pafs.

Ordered, That Mr Allen do carry the Bill to the Council; and defire their Concurrence.

A Bill, intituled, *An A^d, for appointing a Treafurer*, was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That Mr Conway do carry the Bill to the Council; and defire their Concurrence.

A Bill, intituled, *An A^d, for amending the A^d*, intituled, *An A^d, for Encouragement of building Water-Mills*, was read the third Time.

And the Queſtion being put, That the Bill do pafs? It paſſed in the Negative.

Resolved, That the Bill be Rejected.

A Bill, intituled, *An A^d, for erecting Two new Counties and Pariſhes; and granting certain Encouragements to the Inhabitants thereof*, with the Amendments, was read the third Time.

Resolved, That the Bill do pafs.

Ordered, That Mr Fitzhugh do carry the Bill to the Council; and defire their Concurrence.

The Houfe proceeded to the Conſideration of the Amendments to the Bill, for *making more convenient ſeveral Counties in the Northern Neck, and ſettling the Bounds*
of

of other Counties in the said Neck; and the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

The House being informed, That Mr Gray attended in Custody:

Ordered, That he be discharged out of Custody, paying Fees.

A Message from the Council, by Mr Robertson:

That they have made some Amendments to the Bill, intituled, *An Act, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; to which they desire the Concurrence of this House.

That they desire a Conference upon the subject Matter of their Amendments to the Bill, intituled, *An Act, for the better regulating and collecting certain Officers Fees, and other Purposes therein mentioned*; and have appointed two of their Members Managers, who are now ready in the Council Chamber, to meet such Members as shall be appointed Conferees by this House.

And that they have had under their Consideration, a Bill, intituled, *An Act, for appropriating a Sum of Money therein mentioned, to the Use of the Parish of St. Andrew, in the County of Brunswick*: And upon the Question put, for a third Reading?

It passed in the Negative.

Ordered, That Mr Fitzhugh, Mr Corbin, Mr Conway, and Mr Randolph, go up to the Council, and acquaint them, That this House agree to the Conference by them proposed; and that they are appointed Managers by this House, and are ready to enter upon an immediate Conference with the Managers by them appointed: And they withdrew accordingly.

A Bill, intituled, *An Act, for the Encouragement of certain Foreign Protestants*, was read the second Time.

Ordered, That the Bill be committed to a Committee; and a Committee was appointed accordingly, of the following Persons:

Mr Fitzhugh,

Mr Wall, and

Mr Embry,

Mr Richard Kennan.

A Bill, for vesting Three Hundred Acres of Land, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seised, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands, was read the second Time.

Ordered, That the Bill be committed to a Committee of the following Persons:

Mr Harmanfon,

Mr Henry Scarburgh and

Mr Bowdoin,

Mr Edmund Scarburgh.

That they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House.

A Message from the Council, by Mr Robertson:

That they have passed the Bill, intituled, *An Act, for appointing a Treasurer*, without any Amendment.

A Bill, for the Relief of those Persons who were Sufferers by the Loss of the Records of the County of Nansemond, whose Cases have not been already provided for, was read the second Time.

Ordered, That the Bill be ingrossed.

Mr Fitzhugh reported, That the Managers of this House, had had a Conference with the Conferees of the Council, in the Conference Chamber; who proposed some Amendments to the Bill, intituled, *An Act, for the better regulating and collecting certain Officers Fees, and other Purposes therein mentioned*, instead of those Amendments to which this House have disagreed; and the Amendments were read, and agreed to, by the House.

Ordered, That the said Managers acquaint the Conferees of the Council, That this House do agree to the Amendments last proposed; and consent to the passing the Bill, with those Amendments.

A Message from the Council, by Mr *Robertson*:

That they cannot recede from their Amendment to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands; and for other Purposes therein mentioned*; to which this House do infist on their Disagreement; but do adhere to that Amendment; and desire this House will pass the Bill, with the Amendment by them adhered to.

The House proceeded to the Consideration of the Amendment to the Bill, *for dividing Prince William County*; and the Amendment was twice read, and agreed to, by the House.

Ordered, That the Bill, with the Amendment, be ingrossed.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, December 14, 1738.

AN ingrossed Bill, from the Council, intituled, *An Act, for the better Preservation of the Breed of Deer; and preventing unlawful Hunting*, was read the second Time.

Ordered, That the Bill be committed to the Committee of Propositions and Grievances.

Ordered, That the Sum of Two Hundred Thirty Nine Pounds Seventeen Shillings, lately paid into the Treasury by Col. *Spotswood*, be paid to Col. *Benjamin Harrison*, to be by him laid out, in buying Arms for the County of *Brunswick*, to be distributed amongst the Inhabitants of that County, by the Court Martial.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs*; and the Amendments were twice read: And upon the Question severally put, one of the Amendments, with an Amendment, was agreed to, and the rest disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to one of the Amendments by them proposed, with an Amendment, and disagreed to the rest of their Amendments to the said Bill; and desire they will pass the Bill, with the Amendment agreed to, as this House have amended it: And that Mr *Fitzhugh* go up with the Message.

Ordered, That Mr *Willis* have Leave to be absent from the Service of the House 'til Monday next.

The House proceeded to the Consideration of the Message from the Council, in Relation to their Amendment to the Bill, intituled, *An Act, for the better Preservation of Glebe Lands; and for other Purposes therein mentioned*; to which Amendment this House have infisted on their Disagreement.

Resolved, That this House do adhere to the said Bill, without the said Amendment.

Mr *Bowdoin* reported, from the Committee, to whom the Bill, *for vesting Three Hundred Acres of Land, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seized, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands*, was committed, That they had examined the Allegations of the said Bill; which they find to be true: And had made several Amendments to the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

A Bill, intituled, *An Act, for making more convenient several Counties in the Northern Neck; and settling the Bounds of other Counties and certain Parishes, in the said Neck*, with the Amendments, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That M^r Carter do carry the Bill to the Council; and desire their Concurrence.

A Message from the Council, by M^r Robertson:

That they have made several Amendments to the Bill, intituled, *An Act, for amending the Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks; and for making more effectual Provision for the keeping Mill-Dams in good Repair*; to which they desire the Concurrence of this House.

A Bill, intituled, *An Act, for dividing Prince William County*, with the Amendment, was read the third Time, and the Blanks in the Bill filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That M^r Hedgman do carry the Bill to the Council; and desire their Concurrence.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Friday, December 15, 1738.

Ordered,

THAT M^r James Ball have Leave to go Home, upon an extraordinary Occasion. M^r Fitzhugh reported, from the Committee, to whom the Bill, *for dividing Hanover County; and erecting the Upper Part thereof, into a distinct County*, was committed, That they had altered the Title, and made several Amendments to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

A Bill, *for amending and further continuing an Act, intituled, An Act, for laying a Duty upon Slaves*, was read the second Time.

Ordered, That the Bill, be ingrossed.

Ordered, That the Committee of Privileges and Elections be discharged from proceeding further upon the Matter to them referred, in Relation to certain contemptuous and scandalous Speeches, reflecting upon some particular Members, and this House in general, uttered by Benjamin Winflow, as this House had been informed.

A Bill, *declaring the Law concerning Attachments, and altering the Court-Days in the Counties of Accomack, and Amelia*, was read the second Time.

Ordered, That the Bill be ingrossed.

A Bill, *for appointing several new Ferries, and discontinuing a former Ferry*, was read the second Time, and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill be ingrossed.

A Bill, *to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay, on board any Ship or Vessel, from serving in the Militia*, was read the second Time.

Ordered, That the Bill be committed to M^r Attorney-General, and M^r Carter.

Ordered, That a Committee be appointed to examine the inrolled Bills; and a Committee was appointed accordingly, of the following Persons:

M^r Beverley,

M^r McCarty,

M^r Turner,

M^r Buckner, and

M^r William Aylett,

M^r Price.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for amending the Act, intituled, An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks; and for making more effectual Provision for the keeping Mill-Dams in good Repair*; and the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendments by them proposed to the said Bill: And that M^r Conway go up with the Message.

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The Houfe alfo proceeded to the Confideration of the Amendments to the Bill, *for Licenſing Pedlars, and preventing Frauds in the Duties upon Skins and Furrs*; and the Amendments were twice read: And upon the Queſtion ſeverally put, one of them was diſagreed to, and the reſt agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingroſſed.

A Propoſal of *Joſhua Fry*, and *Robert Brooke*, to make an exact Survey of this Colony, and print and publiſh a Map thereof; in which ſhall be laid down, the Bay, the navigable Rivers, with the Soundings, the Counties, Pariſhes, Towns, and Gentlemens Seats, or whatever elſe is remarkable; if this Houfe think fit to encourage the ſame, was preſented to the Houfe, and read.

Ordered, That the ſaid Propoſal be referred to the Confideration of the next Seſſion of Aſſembly.

The Houfe proceeded to the Confideration of the Amendments to the Bill, *for dividing Hanover County; and erecting the Upper Part thereof, into a diſtinct County*; and the Amendments were twice read: And upon the Queſtion ſeverally put, agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingroſſed.

Ordered, That the Title of the Bill, be *An Act, for dividing the County of Hanover, and Pariſh of St. Martin; and erecting the Upper Part thereof, into a diſtinct County, and Pariſh*.

A Bill, intituled, *An Act, for the Relief of thoſe Perſons who were Sufferers in the Loſs of the Records of the County of Nanſemond, whoſe Caſes have not been already provided for*, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That *M^r Baker* do carry the Bill to the Council; and deſire their Concurrence.

A Meſſage from the Council, by *M^r Robertſon*:

That they recede from their Amendments to the Bill, intituled, *An Act, for further Continuing and Amending the Act, for Amending the Staple of Tobacco; and for preventing Frauds in His Maſeſty's Customs*; to which this Houfe have diſagreed; and have paſſed the Bill, with the Amendment agreed to by this Houfe, as this Houfe have amended it.

That they have made ſeveral Amendments to the Bill, *for dividing the Pariſhes of Southwark, and Lawn's Creek, and other Purpoſes therein mentioned*; to which they deſire the Concurrence of this Houfe.

And that they have paſſed the Bill, *for erecting Two new Counties and Pariſhes; and granting certain Encouragements to the Inhabitants thereof*, without any Amendment.

The Houfe proceeded to the Confideration of the Book of Claims; and Part of the Book was read.

Ordered, That *M^r Prefly* have Leave to go Home, upon an extraordinary Occaſion.

Ordered,

That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Saturday, December 16, 1738.

Ordered,

THAT *M^r Sweeney*, and *M^r Westwood*, have Leave to be abſent from the Service of the Houfe, 'til *Tueſday* next.

The Houfe proceeded to the Confideration of the Amendments to the Bill, *for veſting Three Hundred Acres of Land, in the County and Pariſh of Accomack, Parcel of a greater Tract, whereof John Wallop is ſeiſed, in Fee Tail, in Joſhua Kendall, in Fee Simple; and for ſettling ſeveral Slaves, to the Uſes of the remaining entailed Lands*; and the Amendments were twice read: And upon the Queſtion ſeverally put, agreed to, by the Houfe.

Ordered, That the Bill, with the Amendments, be ingroſſed.

M^r

Mr Carter reported, from the Committee, to whom the Bill, to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay, on board any Ship or Vessel, from serving in the Militia, was committed, several Amendments made to the Bill: And he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where they were again twice read, and agreed to, by the House; and an Amendment was made to the Bill, at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Fitzhugh reported, from the Committee, to whom the Bill, for the Encouragement of certain Foreign Protestants, was committed, That they had altered the Title, and made several Amendments to the Body of the Bill; and he read the Amendments in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read: And upon the Question severally put agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered, That the Title of the Bill be, *An Act, to encourage Settlements on the Southern Boundary of this Colony.*

A Bill, intituled, *An Act, for appointing several new Ferries, and discontinuing a former Ferry*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Mr Fitzhugh* do carry the Bill to the Council; and desire their Concurrence.

Ordered, That *Mr Doran*, and *Mr Walke*, have Leave to be absent from the Service of the House, 'til Monday next.

A Bill, intituled, *An Act, for amending and further continuing an Act*, intituled, *An Act, for laying a Duty upon Slaves*, was read the third Time, and the Blanks in the Bill filled up at the Table.

Resolved, That the Bill do pass.

Ordered, That *Mr Carter* do carry the Bill to the Council; and desire their Concurrence.

A Message from the Council, by *Mr Robertson*:

That they have passed the Bill, intituled, *An Act, for the Relief of those Persons who were Sufferers in the Loss of the Records of the County of Nanfemond, whose Cases have not been already provided for*, without any Amendment.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for dividing the Parishes of Southwark, and Lawn's Creek; and other Purposes therein mentioned*; and the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That *Mr Ruffin* go up to the Council, and acquaint them, That this House have agreed to the Amendments by them proposed to the said Bill.

The House also proceeded to the Consideration of the Amendments to the ingrossed Bill, from the Council, for the better Preservation of the Breed of Deer; and for preventing unlawful Hunting; and the Amendments were twice read: And upon the Question severally put, agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have made some Amendments to the said Bill; to which they desire their Concurrence: And that *Mr Fitzhugh* go up with the Message.

A Message from the Council, by *Mr Robertson*:

That they have agreed to the Amendments proposed by this House, to the Bill, intituled, *An Act, for the better Preservation of the Breed of Deer; and for preventing unlawful Hunting*, with an Amendment to one of them; to which they desire the Concurrence of this House.

The House resumed the Consideration of the Book of Claims; and another Part thereof was read; and several Amendments were made to the Book, by the House.

Ordered,

That the House be adjourned 'til Monday Morning, Eleven o'Clock.

Monday,

Monday, December 18, 1738.

Ordered,

THAT Mr Green have Leave to go Home, upon an extraordinary occasion.
A Message from the Council, by Mr Robertfon:

That they have passed the Bill, intituled, *An Act, for amending and further continuing an Act, intituled, An Act, for laying a Duty upon Slaves,* without any Amendment.

And that they have made an Amendment to the Bill, intituled, *An Act, for appointing several new Ferries, and discontinuing a former Ferry;* to which they desire the Concurrence of this House.

The House proceeded to the further Consideration of the Book of Claims; and the same was read through; and other Amendments were made to the Book, by the House.

Ordered, That the Claim of the Serjeant at Arms, for sending to *Effex*, for Witneses, upon the Complaint against *Benjamin Winslow*, by Order of the Committee of Privileges and Elections, be added to the said Book; and the same was added accordingly.

And the Allowances to the Officers of the General Assembly being also added, the Book was agreed to, by the House.

Ordered, That Mr Blair do carry the Book to the Council; and desire their Concurrence: And that he also wait on the Governor, and desire his Assent.

The House also proceeded to the Consideration of the Petition of *William Parks*: And thereupon,

Resolved, That an additional Salary of Eighty Pounds *per Annum*, be paid to the said *William Parks*; to commence from the last of this instant.

Ordered, That Mr Conway do carry the said *Resolve* to the Council; and desire their Concurrence.

The House proceeded to the Consideration of the Amendment proposed by the Council, to the Bill, intituled, *An Act, for appointing several new Ferries, and discontinuing a former Ferry:* And upon the Question put, the Amendment was agreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have agreed to the Amendment by them proposed to the said Bill: And that Mr Conway go up with the Message.

Then the House proceeded to the Consideration of the Amendment made by the Council, to one of the Amendments proposed by this House, to the ingrossed Bill, intituled, *An Act, for the better Preservation of the Breed of Deer; and for preventing unlawful Hunting:* And upon the Question put, the Amendment to that Amendment was disagreed to, by the House.

Ordered, That a Message be sent to the Council, to acquaint them, That this House have disagreed to their Amendment to an Amendment made by this House, to the said Bill; and desire they will pass the Bill, as this House have amended it: And that Mr Fitzhugh go up with the Message.

Ordered, That the House be adjourn'd 'til To-morrow Morning, Eleven o'Clock.

Tuesday, December 19, 1738.

MR. Conway, from the Committee of Privileges and Elections, reported, That they had searched the Journals of former Assemblies, touching the Oath now taken by the Burgesses; and agreed upon a Report; which he read in his Place; and afterwards delivered in at the Table; where it was again read, as follows:

The Committee of Privileges and Elections, according to the Order of this House, have searched the Journals of former Assemblies, touching the Oath now taken by the Burgesses: Whereupon it appears to the said Committee, That in the Year One Thousand Six Hundred and Fifty One, this Colony submitted to the then governing Power in
England,

England, called the Parliament; soon after which, an Assembly was called and held the Thirtieth of April, One Thousand Six Hundred and Fifty Two: At which Assembly, an Oath was taken by the Burgeffes, in the following Words:

YOU, and every of you, shall swear, upon the Holy Evangelists, and in the Sight of God, to deliver your Opinions faithfully, and honestly, according to your best Understanding and Conscience, for the general Good and Prosperity of this Country, and every particular Member thereof; and to do your utmost Endeavour to prosecute That, without mingling with it any particular Interest of any Person or Persons whatsoever.

And upon the best Search and Enquiry the Committee have been able to make, they have Reason to believe, the said Oath was then first introduced; it not appearing upon any of the Journals before that Time, that the same, or any other Oath of the like Nature, was, or used to be, taken by the Burgeffes.

The Journals from the said Year One Thousand Six Hundred and Fifty Two, to the Year One Thousand Six Hundred and Sixty Six, are many of them much defaced, and some not to be found; so that it does not appear with any Certainty to the Committee, That the Oath aforesaid was taken by the Burgeffes of the Assemblies held in that Time: But the Committee have Reason to conclude, from divers Passages in several of the Journals of those Times, that the same, or some other Oath of the like Purport, was taken by the Burgeffes.

In the Journal of the Assembly held in the Year One Thousand Six Hundred and Sixty Six, it appears, That the Burgeffes took the same Oath that is now administered and taken; and the Committee have good Grounds to believe, that the same Oath has been constantly taken by the Burgeffes of all the Assemblies that have been held since that Time, it being expressly taken Notice of in most of the Journals; tho' in some, it happens to be omitted. And it is in the Memory of some now living, that the said Oath has been taken, from the Year One Thousand Six Hundred and Eighty Eight, to this Time.

Upon the Whole, it is the Opinion of the Committee, That the particular Situation of the Public Affairs in the Year One Thousand Six Hundred and Fifty Two, gave Occasion to the introducing the Oath aforesaid; and that the same was intended to oblige the Burgeffes to consult the general Good of the Colony, without Regard to the particular Interest of the Royal Party, or of the Parliament.

And a Motion being made, and the Question put, That the Consideration of the said Report be put off till the next Session of Assembly? It passed in the Negative.

Resolved, That the Oath, commonly called the Oath of a Burgefs, be henceforth diffused, and not administered to, or taken by, any Member of this House.

The House proceeded to the Consideration of the Report, from the Committee to whom it is referred to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, upon the Treasurer's Accounts: And the said Accounts, with a Duplicate, were passed by the House.

Ordered, That Mr Carter do carry the said Accounts to the Council; and desire their Concurrence.

Ordered, That the Clerk of this House collect the Journals, which lie dispersed in his Office, in fitched Books, and loose Sheets, and have the same transcribed into bound Books: And that he provide more convenient Presses, for the better Preservation of the Records of his Office.

A Bill, intituled, *An Act, to encourage Settlements on the Southern Boundaries of this Colony*, was read the third Time.

Resolved, That the Bill do pass.

Also a Bill, intituled, *An Act, for dividing the County of Hanover, and Parish of St. Martin; and for erecting the Upper Part thereof, into a distinct County, and Parish*, was read the third Time; and some Blanks in the Bill were filled up at the Table.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr *Fitzhugh* do carry the Bill to the Council; and desire their Concurrence.

Ordered, That an Address be made to the Governor, to use his Interest in *Great-Britain*, to obtain for this Colony the same Liberty of importing Salt from *Portugal*, as is allowed to the *Northern Colonies*: And that Mr *Willis*, Mr *Carter*, Mr *Isham Randolph*, Mr *Harrison*, and Mr *Martin*, do wait on the Governor with the said Address.

A Bill, intituled, *An Act, for Licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs*, was read the third Time; and an Amendment made to the Bill at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Attorney-General* do carry the Bill to the Council; and desire their Concurrence.

A Message from the Council, by Mr *Robertson*:

That they do not insist on their Amendment to the Amendment proposed by this House, to the ingrossed Bill, intituled, *An Act, for the better Preservation of the Breed of Deer; and for preventing unlawful Hunting*; to which this House have disagreed; and have passed the Bill, with the Amendments proposed by this House.

And that they have passed the Book of Claims, without any Amendment, or Alteration.

Ordered, That a Committee for Proportioning the Public Levy, be appointed of the following Persons: Mr *Conway*, Mr *Blair*, Mr *Turner*, Mr *Beverley*, Mr *Price*, and Mr *Ruffin*.

Ordered, That Leave be given to bring in a Bill, for raising a Public Levy; and that the Committee of Proportions prepare and bring in the same.

A Bill, for better securing the Title of certain Lands, to the Feoffees of the Town of *York*; and for settling the same for a Common, for the Use of the Inhabitants of the said Town, was read the second Time; and several Amendments were made, and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill be ingrossed.

Ordered, That Mr *Speaker* employ proper Persons, to paint the Screen and the Seats, in the Chamber of the Burgesses.

Ordered, That Mr *Valentine Peyton*, and Mr *John Peyton* have Leave to go home.

A Petition of *George Webb* was presented to the House and read; praying the Consideration of the House, in Regard to his extraordinary Services, in stating the Accounts of the Duty upon Slaves, and examining the Accounts of *John Holloway*, Esq; deceased, late Treasurer.

Resolved, That the said Petition be Rejected.

Ordered,

That the House be adjourned 'til To-morrow Morning, Eleven o'Clock.

Wednesday, December 20, 1738.

Ordered,

THAT Mr *Henry Scarborough*, Mr *Edmond Scarborough*, Mr *Harmanfon*, Mr *Bowdoin*, and Mr *Holman*, have Leave to go home.

Ordered, That Mr *Fairfax*, Mr *Maximilian Robinson*, Mr *William Fantleroy*, Mr *William Jourdan*, Mr *Daniel McCarty*, and Mr *William Aylett*, do lay off the Bounds between the Counties of *Westmoreland*, *Richmond*, and *King George*; and report their Proceedings to the next Session of Assembly.

A Bill, intituled, *An Act, for vesting Three Hundred Acres of Land, with the Appurtenances, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seised, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands*, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That Mr Bowdoin do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, declaring the Law concerning Attachments: And altering the Court-Days in the Counties of Accomack, and Amelia*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Woodbridge do carry the Bill to the Council; and desire their Concurrence.

A Bill, intituled, *An Act, to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay, on board any Ship or Vessel, from serving in the Militia*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Walke do carry the Bill to the Council; and desire their Concurrence.

Mr Carter, from the Committee appointed to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, reported, That upon Examination of the several Accounts of that Duty, returned by the Collectors, and of all Slaves imported, from April 25, 1736, to October 25, 1738, and the Sales thereof, returned by the Importers, it appears to this Committee, That the Sum of One Thousand Three Hundred and Ninety Nine Pounds Eight Shillings, is arrear and unpaid, or not accounted for by the Collectors of that Duty; as appears by several Accounts to the Report annexed, *viz.*

Twelve Accounts of the Duty upon Slaves imported in 1736, upon which there is a Deficiency of Four Hundred Fifty Eight Pounds Four Shillings and Ten Pence.

Thirteen Accounts of A^o 1737, shewing a Deficiency of Four Hundred Seventeen Pounds and Eight Pence.

Five Accounts of the Year 1738, whereupon arises a Deficiency of Five Hundred Twenty Four Pounds Two Shillings and Six Pence: But all the Sales of this Year have not yet been returned to the Treasury.

Four Sheets, containing Lists of the Names of the Persons appearing by the preceding Accounts now chargeable for the said Duty, and for whom the Collectors have not accounted, with the particular Sums due from each Person respectively.

And a General Account, shewing the whole Amount of the Arrears, from April 25, 1736, to October 25, 1738, One Thousand Three Hundred Ninety Nine Pounds Eight Shillings.

And he read the Report in his Place; and afterwards delivered the Report, with the annexed Accounts, in at the Table.

Mr Attorney-General reported, from the Committee to whom it was referred, to enquire what Lands have been sold by Mr Thomas Bray, pursuant to an Act passed in the Fifth and Sixth Years of His Majesty's Reign, *To enable him to sell certain entailed Lands therein mentioned, and to lay out the Purchase Money in Slaves, to be annexed to other intailed Lands therein also mentioned*, how much the whole Purchase-Money amounts to; and whether any Slaves, and to what Value, have been settled, to the Uses of the other entailed Lands, pursuant to the said Act: That they had had under their Consideration, the Matter to them referred; and agreed upon a Report, which he read in his Place, and afterwards delivered in at the Table; where it was again read, as follows:

It appears to the Committee, That the said Thomas Bray hath sold divers Tracts of Land, mentioned in the said Act: And that the whole Purchase Money of the said Lands sold by him, amounts to the Sum of Fifteen Hundred and Twenty One Pounds Eighteen Shillings and Four Pence, *Sterling*.

It also appears to the Committee, That the said Thomas Bray hath annexed to other entailed Lands mentioned in the said Act, Forty Four Slaves, of the Value of Eight Hundred and Twelve Pounds Thirteen Shillings and Four Pence, *Sterling*: And that he

he hath expended, in obtaining the A^ct aforefaid, and in the Execution of the Powers thereby to him given, the Sum of Seventy Pounds, *Sterling*.

So that there remains in the Hands of the faid *Thomas Bray*, of the Purchase-Money aforefaid, the Sum of Six Hundred and Thirty Nine Pounds Five Shillings, *Sterling*; which ought to be laid out in Slaves, and annexed to the intailed Lands in the faid A^ct mentioned. And thereupon,

Resolved, That unless the faid *Thomas Bray* fhall annex Slaves to the Lands laft mentioned, to the Value of the faid Six Hundred and Thirty Nine Pounds Five Shillings, before the laft Day of *Auguft* next, M^r *Attorney-General* be impowered to exhibit a Bill againft him, to compel him to execute the faid A^ct, according to the true Intent and Meaning thereof.

Ordered, That M^r *Attorney-General* do carry the faid *Refolve* to the Council; and defire their Concurrence; and that he alfo attend the Governor for his Affent thereto.

A Meffage from the Council, by M^r *Robertfon*:

That they have agreed to the Treaferur's Accounts: And alfo, to the *Refolve* of this Houfe, for paying an additional Salary to *William Parks*.

And that they have paffed the Bill, intituled, *An A^ct, for Licenfing Pedlars; and preventing Frauds in the Duties upon Skins and Furs*.

And alfo the Bill, intituled, *An A^ct, to encourage Settlements on the Southern Boundaries of this Colony*, without any Amendment.

M^r *Willis* reported, That the Perfons appointed had, according to Order, addreffed the Governor, to ufe his Intereft in *Great-Britain*, to obtain for this Colony, the fame Liberty of importing Salt from *Portugal*, as is allowed to the *Northern Colonies*: And that he had been pleafed to fay, "That as nothing could afford him greater Pleafure, "than to be inftrumental in encouraging the Trade, and promoting the Profperity of "this Colony, He fhould endeavour effectually to recommend the granting to this "Country, the Indulgence defired by this Houfe.

A Meffage from the Council, by M^r *Robertfon*:

That they have paffed the Bill, intituled, *An A^ct, declaring the Law concerning Attachments: And altering the Court-Days in the Counties of Accomack, and Amelia*.

Alfo the Bill, intituled, *An A^ct, to prevent the Inhabitants of the Borough of Norfolk, from being compelled to ferve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay on board any Ship or Veffel, from ferving in the Militia*.

Alfo the Bill, intituled, *An A^ct, for vefting Three Hundred Acres of Land, in the County and Parifh of Accomack, Parcel of a greater Tract, whereof John Wallop is feifed, in Fee Tail, in Jofhua Kendall, in Fee Simple; and for fettling feveral Slaves, to the Ufes of the remaining intailed Lands*, without any Amendment.

A Bill, intituled, *An A^ct, for better fecuring the Title of certain Lands, to the Feoffees of the Town of York; and for fettling the fame for a Common, for the Ufe of the Inhabitants of the faid Town*, was read the third Time; and feveral Amendments were made to the Bill at the Table.

Resolved, That the Bill do pafs.

Ordered, That M^r *Attorney-General* do carry the Bill to the Council; and defire their Concurrence.

Ordered,

That the Houfe be adjourned 'til To-morrow Morning, Eleven o'Clock.

Thursday, December 21, 1738.

A Meffage from the Council, by M^r *Robertfon*:

That they have paffed the Bill, intituled, *An A^ct, for better fecuring the Title of certain Lands, to the Feoffees of the Town of York; and for fettling the fame for a Common, for the Ufe of the Inhabitants of the faid Town*, without any Amendment.

M^r Conway presented to the House, according to Order, a Bill, for raising a Public Levy; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

And the same was read the second Time accordingly.

Ordered, That the Bill, be ingrossed.

A Bill, intituled, *An Act, for raising a Public Levy*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That M^r Fitzhugh do carry the Bill to the Council; and desire their Concurrence.

A Message from the Council, by M^r Robertson:

That they have passed the Bill, intituled, *An Act, for raising a Public Levy*, without any Amendment. And that they have also agreed to the *Resolve* of this House, in relation to M^r Thomas Bray.

M^r Conway reported, That the Persons appointed, had, according to Order, settled the Proportions of the Publick Levy; and stated the same in a Book; which he delivered in at the Table: And the same was read, and agreed to, by the House.

Ordered, That M^r Conway do carry the Book to the Council; and desire their Concurrence.

Ordered, That M^r Beverley do carry the inrolled Bills to the Council, for their Inspection.

A Message from the Council, by M^r Robertson:

That they have agreed to the Book of Proportions: And that they have also inspected the inrolled Bills; and are satisfied they are truly inrolled.

A Message from the Governor, was delivered by M^r Robertson:

M^r Speaker, the Governor commands the immediate Attendance of this House, in the Council-Chamber; and that you bring with you such Bills as have passed the Council, and this House, for his Assent.

M^r Speaker, with the House, went up accordingly. And the Governor was pleased to give his Assent to the following Publick and Private Bills:

An Act, for further continuing and amending the Act, for amending the Staple of Tobacco; and for preventing Frauds in His Majesty's Customs.

An Act, for the better Regulation of the Militia.

An Act, for Reviving the Act, for making more effectual Provision against Invasions and Insurrections.

An Act for altering the Method of Trial of certain Criminals therein mentioned.

An Act for continuing and amending an Act, intituled, An Act, for laying a Duty on Liquors.

An Act, for further continuing and amending an Act, intituled, An Act, for laying a Duty upon Slaves.

An Act, for amending the Act, intituled, An Act, for Making, Clearing, and Repairing the Highways; and for Clearing the Rivers and Creeks; and for making more effectual Provision for the Keeping Mill-Dams in good Repair.

An Act, for amending the Act, intituled, An Act, concerning Tithables.

An Act, to restrain Sheriffs, and other Officers, from making unreasonable Seizures and Distresses; and for other Purposes therein mentioned.

An Act, for the better regulating and collecting certain Officers Fees; and other Purposes therein mentioned.

An Act, for Licensing Pedlars; and preventing Frauds in the Duties upon Skins and Furs.

An Act, to encourage Settlements on the Southern Boundary of this Colony.

An Act, declaring the Law concerning Attachments: And altering the Court-Days in the Counties of Accomack, and Amelia.

An Act, for the better Preservation of the Breed of Deer; and preventing unlawful Hunting.

An

An Act, for appointing a Treasurer.

An Act, for appointing several new Ferries, and discontinuing a former Ferry.

An Act, for raising a Public Levy.

An Act, for better securing the Title of certain Lands, to the Feoffees of the Town of York; and for settling the same for a Common, for the Use of the Inhabitants of the said Town.

An Act, for the Relief of those Persons who were Sufferers in the Loss of the Records of the County of Nansemond, whose Cases have not been already provided for.

An Act, for dividing the Parishes of Southwark, and Lawn's Creek; and other Purposes therein mentioned.

An Act, for erecting Two new Counties and Parishes; and granting certain Encouragements to the Inhabitants thereof.

An Act, to prevent the Inhabitants of the Borough of Norfolk, from being compelled to serve in the Militia of the County of Norfolk; and to exempt Sailors or Seamen, in actual Pay on board any Ship or Vessel, from serving in the Militia.

An Act, for vesting Three Hundred Acres of Land, with the Appurtenances, in the County and Parish of Accomack, Parcel of a greater Tract, whereof John Wallop is seised, in Fee Tail, in Joshua Kendall, in Fee Simple; and for settling several Slaves, to the Uses of the remaining entailed Lands.

An Act, for allowing Fairs to be kept in the Town of Fredericksburg.

An Act, to enable Ralph Wormely, Esq; to sell and dispose of certain entailed Lands, to raise Money for the Payment of his Sisters Portions, and Performance of his Father's Will.

The Governor also gave his Assent to several Resolves of the House of Burgesses, which the Council had agreed to, viz.

For Paying the Sum of One Hundred Pounds, out of the Public Money in the Hands of the Treasurer, to Mr John Tennent, for Publishing his Discovery of the Use of the Seneca Rattle-snake Root.

For Paying the Sum of Two Hundred and Thirty Nine Pounds Seventeen Shillings, lately paid into the Treasury by Colonel Spotswood, to Colonel Benjamin Harrison; to be by him laid out, in buying Arms, for the County of Brunswick; to be distributed amongst the Inhabitants of that County, by the Court-Martial.

For paying an additional Salary, of Eighty Pounds, per Annum, to William Parks; to commence from the last Day of this Instant.

And then made the following Speech:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgesses,

AS I have been always led, by Inclination, as well as Duty, to study, for the sake of the Inhabitants, the Prosperity of this Colony, in the Improvement of our Staple;

I thought it absolutely necessary, at the Opening of this Session, to shew a particular Regard to that Method for the Management of it, whereby their Interest and Credit have been so signally Secured and Preserved: And tho' those just and equitable Measures have not yet gained the Acceptance of many worthy Members, That must not lessen them in my Esteem, since, by the Discernment of most, they are found, after Seven Years Trial, so well suited to the Circumstances of our Trade, as to obtain the seasonable Concurrence of this Assembly, for their Continuance.

AND altho' your commendable Endeavours to make such Alterations in the Law, as were judged reasonable to give Satisfaction, could not be brought to answer every particular Demand; if in General they prove available, your Conduct will be applauded. And now, by a Concession due to the Support of so wholesome an Establishment, the Justices, in the several Counties, have the Nomination, I might almost say the Appointment, of the Inspectors, committed to them; if they will but countenance and encourage those necessary Officers in their Employments, I am persuaded their mistaken Neighbours will the sooner be

be convinced, how much an indulgent Restraint, on which their own and the Public Welfare depend, is to be preferred to Liberty, so destructive to both.

Gentlemen,

THERE are so many Witneffes to the Prudence and Moderation of all your Proceedings, which I have with Pleasure and Approbation so often observed, that I need not tell the World what Respect is due you on that Account: And therefore I shall detain you no longer than to own, that my Thanks are too poor an Acknowledgement for the Services you have done your King and Country, and much more so, for the remarkable Instance of your Zeal for the Glory of God: But wishing all of you a merry Christmas, and happy new Year, and many of them, I will only add, That I have thought fit to prorogue this Assembly to the Third Thursday in May next, and this Assembly is accordingly prorogued to that Time.

THE
JOURNAL
OF THE
House of BURGESSES.
AT

A General Assembly summoned to be held at the Capitol, in the City of *Williamsburg*, on *Friday* the First Day of *August*, in the Ninth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. And from thence continued, by several Prorogations, to the Twenty Second Day of *May*, in the Thirteenth Year of His said Majesty's Reign, and in the Year of our Lord M,DCC,XL: Being the Third Session of this present General Assembly.



WILLIAMSBURG:
Printed by WILLIAM PARKS. 1740.

THE
JOURNAL
OF
The House of BURGESSES.

Thursday, May 22, 1740.

MR. *Benjamin Needler*, having been promoted to the Office of Clerk of the Council, and *Peter Randolph*, Gentleman, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, the Oath of Abjuration, and the Test, was, by Virtue of a Commission from the Honourable the Lieutenant-Governor, sworn Clerk in his Stead, and admitted to his Place in the House accordingly.

A Message from the Governor was delivered by *Mr Needler*.

Mr Speaker,

The Governor commands the immediate Attendance of this House in the Council-Chamber.

Mr Speaker, with the House, went up accordingly: And being returned, he reported, That the House had attended the Governor in the Council-Chamber. And he was pleas'd to make a Speech to the Council and this House: Of which, to prevent Mistakes, he had obtained a Copy: Which he read, and afterwards delivered in at the Table; where the same was again read, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of BurgesSES,

AS I am entrusted by His Majesty with the care of this Colony, and think it my indispensable Duty to direct my Conduct to your Security; it is a very sensible Pleasure to me to find myself, on this Occasion, surrounded by Persons, as well by Interest engaged, as by Prudence and Inclination disposed, to promote the same great End. And though many Circumstances unexpectedly arise in this variable World, that deserve your Deliberations, and may require new Determinations; yet the Security of our Country, comprehending every Thing that can be dear to us, I dare say, in this Conjunction, will have the first Place in your Thoughts.

IT has, no doubt, been anxious to His Majesty's great and generous Mind, to hear his Subjects suffered in any Measure the Calamities of War, while Peace, by the most solemn Engagements, seemed to be established: And had it not been for Consequences of a more grievous Nature, his Subjects would have been liable to; if the arbitrary Proceedings of a Rival Neighbour had been immediately humoured with downright Hostilities on all Sides, his Royal Heart had been fired with just Resentment, and the Aggressors had sooner felt that Vengeance, which only the Love to his own People restrained him from; until finding neither Justice nor Equity could prevail to fix the Object of his Desire, a lasting Friendship, consistent with an uninterrupted Commerce; the Appeal is made to Heaven, and the Sword must give the decisive Stroke.

IN His Majesty's Wisdom then we repose our Trust; who with paternal Tenderness feels the Injuries done his Subjects; and by his steady Councils, with equal Fortitude
and

and Firmness of Mind, determined not to give Umbrage to any other Powers to distrust or disturb him, in the last Method for obtaining Reparation and Redress.

THAT we, therefore, during a War carried on in this Western Quarter, may be prepared to maintain our Character, I must earnestly recommend to you, the framing of a Bill to put our Militia upon such a Footing as will best enable them to contend with regular Troops, who excel other Men only by their exact Discipline: Do but consider what a lasting Disgrace it would be to our Name and Nation, if the personal Bravery of our Inhabitants, for want of being united under some such Influence, should be forced to yield to the orderly Disposition of Adversaries, whom Man to Man they would disdain. And I am persuaded, as the Authority I plead for, may be granted to our Officers by a temporary Law, you will judge it adviseable, effectually to provide for the Defence of your Country, against an Enemy, at present rather inclined to seek Revenge, than make Satisfaction.

AS this is the only Method we can take to secure our Sovereign from being insulted by an Attack upon this Dominion: As it can't be reckoned an Encroachment upon Liberty, when meant to Guard us against Dangers, however distant they may be thought, which threaten no less than our Lives and Properties; you will forgive me, if, after applying to your Prudence, I suggest to you, that in case of an Invasion, as I must lead and conduct our Arms, so there is not any one of you without a Chance of having your own Honour concerned in the Event.

I am also to put you in Mind, that whilst Affairs are in this Posture, the late and uncertain Arrival of the Ships, will make it necessary to allow the Planters longer Time for bringing their Tobacco to the Public Warehouses.

THESE, Gentlemen, are the Inducements I had to call you together; and I believe you will agree, they are of sufficient Importance to merit your Concurrence.

AND if, in your Consultations, you desire my Advice to form your Resolutions, or any Confirmation from me to make them more effectual; as I deem the Interest of *Virginia* to be strictly my own, I shall be forward to do my Part, and think I am then rendering myself most worthy of the Royal Favour of the best of Kings: When I am serving, why may I not say, the best of Subjects.

Resolved, Nemine Contradicente,

That an humble Address be presented to the Governor, to return him Thanks for his kind and affectionate Speech to the Council, and this House; and to assure him of our Readiness to concur in all such Measures as shall be thought necessary and conducive to the Honour of our Sovereign, and the Safety and Security of this Colony.

Ordered, That a Committee be appointed to draw up an Address to the Governor, upon the said Resolutions; and it is referred to Mr *Fitzhugh*, Mr *Conway*, and Mr *Attorney*, to prepare and bring in the same.

Resolved, That this House will resolve itself into a Committee of the whole House, to consider the Governor's Speech To-morrow.

Ordered, That an Address be made to the Governor, to order a new Writ to issue for Electing a Burgess to serve in this present General Assembly, for the County of *Accomack*, in the Room of Mr *Henry Scarborough*, who, since the last Session, has accepted the Office of Collector.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Gloucester*, in the Room of Mr *Lawrence Smith*, deceased.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *Orange*, in the Room of Mr *Robert Green*, who, since the last Session, hath accepted the Office of Sheriff, and executed the same.

Also a new Writ for Electing a Burgess to serve in this present General Assembly, for the County of *James-City*, in the Room of Mr *John Eaton*, deceased.

Ordered, That *Thomas Wager* be appointed Door-keeper, in the Room of *Nicholas Wager*, deceased.

Ordered,

Ordered, That the several Door-keepers who attended this Houfe the laft Seffion, be continued in their refpective Offices.

Ordered, That Mr *William Dawson* be continued Chaplain to this Houfe; and that he attend to read Prayers every Morning, at Nine of the Clock.

Ordered,

That the Houfe be adjourn'd, 'til To-morrow Morning, Ten o'Clock.

Friday, May 23, 1740.

Ordered,

THAT the Committee of Privileges and Elections be revived; and confift of the following Perfons:

Mr *Conway*,
Mr *Harrifon*,
Mr *Waring*,
Mr *Burwell*,

Mr *Fitzhugh*,
Mr *Richard Randolph*,
Mr *McCarty*.

And they are to meet and adjourn from Day to Day, and to take into their Confideration, all fuch Matters as fhall or may come in Queftion, touching Returns, Elections and Privileges; and to report their Proceedings, with their Opinion thereupon, from Time to Time, to the Houfe. And the faid Committee is to have Power to fend for Witneffes, Perfons, Papers, and Records, for their Information.

Ordered, That the Committee of Public Claims be revived; and confift of the following Perfons:

Mr *Harmanfon*,
Mr *Turner*,
Mr *Haynes*,
Mr *Hedgman*,
Mr *James Ball*,
Mr *Wefwood*,

Mr *Beverley*,
Mr *Price*,
Mr *Sweney*,
Mr *Buckner*,
Mr *Clayborne*,
Mr *George Ball*,
Mr *Aylett*,
Mr *Ruffin*, and

Mr *Elligood*.

And they are to meet and adjourn from Day to Day, and to take into their Confideration, all Public Claims which fhall be prefented to the Houfe, during this Seffion; and to report their Proceedings, with their Opinion thereon, to the Houfe, when they have gone through the faid Claims. And all Perfons that have any Claims, are to deliver them to the Clerk, and he is to deliver the fame to the Committee, of Courfe. And they are to have Power to fend for Perfons, Papers, and Records, for their Information.

Ordered, That the Committee of Propofitions and Grievances be revived; and confift of the following Perfons:

Mr *Willis*,
Mr *Attorney-General*,
Mr *Rofcow*,
Mr *Harrifon*,
Mr *Digges*,
Mr *Kennon*,
Mr *Woodbridge*,
Mr *Allen*,

Mr *Fitzhugh*,
Mr *Conway*,
Mr *Richard Randolph*,
Mr *Walke*,
Mr *Carter*,
Mr *Burwell*,
Mr *Berkeley*,
Mr *Isham Randolph*,
Mr *Simmonds*, and

Mr *Richard Kennon*.

And they are to meet and adjourn from Day to Day, and to take into their Confideration, all Propofitions and Grievances that fhall come legally certified to this Affembly; and report their proceedings, with their Opinion thereupon, to the Houfe, from Time to Time.

Time. And all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee, of Course. And they are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That the Committee of Courts of Justice be revived; and consist of the following Persons:

	<i>Mr Attorney-General,</i>
<i>Mr Booker,</i>	<i>Mr Sweeney,</i>
<i>Mr William Aylett,</i>	<i>Mr McCarty,</i>
<i>Mr Munford,</i>	<i>Mr Eppes,</i>
<i>Mr Grey,</i>	<i>Mr Pugh,</i>
<i>Mr Johnston, and</i>	<i>Mr Westwood.</i>

And they are to meet and adjourn from Day to Day, and to take into their Consideration, all Matters relating to Courts of Justice, and such other Matters, as shall, from Time to Time, be referred to them; and report their Proceedings. And the said Committee are to have Power to send for Persons, Papers, and Records, for their Information.

Ordered, That the Committee appointed to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof, be revived; and consist of the following Persons:

	<i>Mr Carter,</i>
<i>Mr Harrison,</i>	<i>Mr Fitzhugh,</i>
<i>Mr Waring, and</i>	<i>Mr Isham Randolph.</i>

Ordered, That Seven of the Committee of Propositions and Grievances, be a sufficient Number to make a Committee; and Five of all other Committees.

Ordered, That *Mr Waller* be appointed Clerk to the Committee of Propositions and Grievances, in the Room of *Mr Kemp*, deceased.

Ordered, That *Mr Beale* be appointed Clerk to the Committee of Courts of Justice.

Ordered, That the Committee for Courts of Justice do inspect the Journal of the last Session, and prepare and draw up a State of the Matters then depending and undetermined, and Progress that was made therein; and report the same to the House. That they do examine what Laws have expired since the last Session, and inspect such temporary Laws as will expire with the End of this Session, or are near expiring; and report the same to the House, with their Opinion, which of them are fit to be revived and continued.

Ordered, That *Mr Cary* be continued in his Office of Clerk of the Committee of Claims, and the Committee of Privileges and Elections. And that *Mr Webb* be continued Clerk to the Committee appointed to prepare and draw up a State of the Duty upon Slaves.

Mr Fitzhugh reported, That the Persons appointed, had, according to Order, prepared an Address to the Governor; which he read in his Place, and afterwards delivered in at the Table; where the same was again twice read, and agreed to, by the House, without any Amendment, and is as follows:

SIR,

WE, His Majesty's most dutiful and loyal Subjects, the Burgesses of the Colony and Dominion of *Virginia*, met in a General Assembly, humbly beg Leave, in the Name of the whole People of this Colony, to return You Thanks for Your kind and affectionate Speech to the Council, and this House; in which there appears an equal Concern for the Honour of Our most Gracious Sovereign, the Safety and Security of this His ancient Colony, and the Ease of the People whom we represent.

AS the numberless Depredations, Barbarities, and Insults, committed by the Subjects of *Spain*, upon those of *Great-Britain*, have justly provoked His Majesty to enter into a War. And as the Seat of it is likely to be near at our Doors, it highly behoves us to look about in time, and make such Preparations, as our Circumstances will admit, for our Defence and Security, against a cruel and revengeful Enemy: And therefore,

Sir,

Sir, we beg Leave to assure You, that we shall most heartily and zealously concur in any Measures that may conduce to the Honour of His Majesty, and the Safety of this His Colony: And to that End, endeavour to establish our Militia on such a Footing, that in Case of an Invasion or Attack, they may be enabled to contend with regular Troops. And as we are fully satisfied of your consummate Knowledge and Experience, as well in military as civil Affairs, we should be wanting to ourselves, if we did not readily and thankfully accept the kind Offer you are pleased to make of advising and assisting us in our Deliberations.

THE Necessity there is, in the present Conjunction, of allowing the Planters longer Time for bringing Tobacco to the Warehouses, is so obvious, that it would be an unpardonable Neglect in us, not to embrace the present Occasion of making a temporary Provision for that Purpose. And as Your recommending this to us, is an Instance of that kind Concern for the Ease and Happiness of the People, which has so eminently distinguish'd Your mild and auspicious Administration, it cannot fail of raising in us the warmest Sentiments of Gratitude and Acknowledgement.

WE cannot forbear, upon this Occasion, to express the deep Sense we have of His Majesty's great Goodness, in appointing You, *Sir*, to preside over us. May You long continue a worthy Pattern and Example to others in the like Trust, while, through the Happiness and Prosperity we enjoy under Your Influence, we may still be, as we have hitherto been, the Envy of all our Neighbors.

Ordered, That the said Address be fairly transcribed, and presented by the whole House.

Ordered, That the Committee, who prepared the same, do wait on the Governor, to know his Pleasure when the House shall attend him to present it.

The House, according to Order, resolved itself into a Committee of the whole House, to consider the Governor's Speech: And after some Time spent therein, Mr Speaker resumed the Chair; and Mr *Fitzhugh* reported, from the Committee, That they had had under their Consideration the Governor's Speech, and gone through the same; and where [were] come to several Resolutions thereupon: Which he read in his Place, and afterwards delivered in at the Table; where the same were again twice read, and agreed, to by the House, as follows:

Resolved, That it is the Opinion of this Committee, That a Bill be prepared, and brought in, to put the Militia on such a Footing, as will better enable them to contend with regular Troops.

Resolved, That it is the Opinion of this Committee, That a Bill be prepared, and brought in, for allowing longer Time to bring Tobacco to the Public Warehouses.

Resolved, That Bills be prepared, pursuant to the said Resolutions: And that the House will resolve itself into a Committee of the whole House, on *Monday* next, to consider of Heads of a Bill, for putting the Militia on such a Footing, as will better enable them to contend with regular Troops.

Ordered, That it be referred to the Committee of Propositions and Grievances, to prepare and bring in a Bill, for allowing longer Time to bring Tobacco to the Public Warehouses.

Mr *Attorney-General* moved for Leave to present a Petition of *James Bray*, Gentleman, Son and Heir Apparent of *Thomas Bray*, Gentleman: Which was received by the House, and read; setting forth, That by an Act passed in the Fifth and Sixth Years of His present Majesty's Reign, intituled, *An Act, to enable Thomas Bray, Gentleman, to sell certain entailed Lands therein mentioned, and to lay out the Purchase Money in Slaves, to be annexed to other entailed Lands therein also mentioned*. The said *Thomas Bray* is impowered to sell certain entailed Lands, to the Value of Two Thousand Pounds *Sterling*; and is directed to lay out the Purchase Money in Slaves, to be annexed to other entailed Lands, in the said Act mentioned.

That upon Application made to this House, at the last Session of Assembly, a Committee was appointed to enquire what Lands the said *Thomas Bray* had sold, by Virtue
of

of the said A&t, and what Slaves had been fettled by him, and annexed to the said other entailed Lands, pursuant to the said A&t. Which Committee made a Report, That the said *Thomas Bray* had fold Lands, to the Value of Fifteen Hundred Twenty One Pounds Eighteen Shillings and Four Pence *Sterling*; and had annexed Slaves to the other entailed Lands, of the Value of Eight Hundred Twelve Pounds Thirteen Shillings and Four Pence *Sterling*: And that he had expended, in the Execution of the said A&t, Seventy Pounds *Sterling*: And that there remained in his Hands, Six Hundred Thirty Nine Pounds Five Shillings *Sterling*; which ought to have been laid out in Slaves, and annexed to the entailed Lands, in the said A&t mentioned. And thereupon, this Houfe was pleased to come to a Refolution, That unlefs the said *Thomas Bray* fhould annex Slaves to the said entailed Lands, to the Value of Six Hundred Thirty Nine Pounds Five Shillings *Sterling*, before the Laft Day of *Auguft* then next, Mr *Attorney-General* fhould exhibit a Bill againft him, to compel him to execute the said A&t.

That the said *Thomas Bray* had not, fince the laft Seffion of Affembly, annexed any Slaves whatfoever to the said entailed Lands, to the Knowledge of the said *James Bray*: And a Bill in Chancery is exhibited againft him in the General Court, by Mr *Attorney-General*, in order to compel him to execute the said A&t, pursuant to the Refolution before mentioned; but the said *Thomas Bray* hath not, as yet, put in any Anfwer to the said Bill.

That the said *Thomas Bray*, fince the laft Seffion, had fold more of the said entailed Lands, by Virtue of the said A&t; but had not laid out the Purchase Money in Slaves, and annexed the fame, as the said A&t directs; but had converted the said Purchase Money, as well as the said Six Hundred Thirty Nine Pounds Five Shillings, to his own Ufe, to the great Damage of the said *James Bray*, and all Others, having any Eftate in Remainder in the said entailed Lands. And praying the Confideration of the Houfe in the Premifes; and that the said *Thomas Bray* might be refrained from felling any more of the said entailed Lands, until he fhould annex Slaves to the Value of the Lands already fold by him. Whereupon, it was

Ordered, That a Committee be appointed to enquire into the Allegations of the said Petition; and that Mr *Thomas Bray* attend the said Committee, and lay before them, an Account of the Slaves annexed by him to any of the said entailed Lands, fince the laft Seffion of Affembly; and alfo an Account of the Lands fold by him, fince the said Seffion; and for what Confideration. And that the Committee report the Matter, as it appears to them, to this Houfe. And it is accordingly referred to

Mr *Attorney*,

Mr *Willis*, and

Mr *Fitzhugh*,

Mr *Richard Randolph*.

Ordered,

That the Houfe be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Saturday, May 24, 1740.

MR. *Fitzhugh* reported, That the Committee appointed, had, according to Order, waited on the Governor, to know his Pleafure when the Houfe fhould attend him with their Addrefs: And that he was pleased to appoint this Day; and to fay, he would fend a Meffage to the Houfe, when he was ready to receive it.

The Petition of the Honourable *Philip Lightfoot*, Efq; and *Beverley Randolph*, Efq; and *Elizabeth* his Wife, was prefented to the Houfe, and read; fetting forth, That *Philip Lightfoot*, late of *James-City* County, Gentleman, deceased, being feised, in Fee Simple, of and in certain Parcels or Tracts of Land, lying and being in the Parifh of *Westover*, in the County of *Charles City*, did, by his laft Will and Testament, bearing Date the 30th Day of *Auguft*, 1708, give and bequeath unto his eldeft Son *Francis Lightfoot*, and the Heirs of his Body lawfully begotten, forever, the said Tracts of Land,

by

by the Name of all that his Tract or Dividend of Land, containing Five Hundred Acres, whereupon he then lived, and purchased of *Edward Chilton*, who purchased the same of *John Edloe*, deceased: And also Part of his Land, which he escheated from *Francis Wilkins*, deceased, whereon his Quarter then stood; as also Two Hundred and Ninety Acres more, joining to his said Quarter Land, purchased of *Edward Chilton*: But in Case his Son *Francis* should die without such Heir, then he gave all the above-mentioned Tracts or Dividends of Land to the Petitioner *Philip Lightfoot*.

That after the Death of the said *Philip*, the said *Francis* entered upon the said Lands, and purchased some adjoining Tracts, whereby the said devised Lands are become more profitable, and of much greater Value.

That the said *Francis* having a Son *Francis*, and the Petitioner *Elizabeth*, both Infants at the Time of his Death; and apprehending he had a Fee Simple, as well in the Lands so devised, as those purchased by him, as aforesaid, by his last Will and Testament, bearing Date the 6th Day of *January*, 1717, gave unto the Petitioner *Elizabeth*, the Sum of One Thousand Pounds *Sterling*, to be put out to Interest, till she should attain to the Age of Twenty One Years, or Marriage: And all the Remainder of his Estate, both Real and Personal, whereofever lying or being, he gave to his Son *Francis Lightfoot*, and the Heirs Male of his Body, lawfully begotten; but in Case his said Son should die without such Issue Male, or there should be any Failure thereafter in the Male Line, then he gave all his said Estate, Real and Personal, to the Petitioner *Philip Lightfoot*, and his Heirs, for ever, he or they paying to the Daughter of his said Son; or in Case there should be none such, to his Daughter *Elizabeth*, the Sum of Two Thousand Five Hundred Pounds Current Money, in full Compensation for the same.

That the said *Francis*, the Son, dying in his Infancy, without Issue, the Petitioner *Philip*, entered upon all the Lands whereof the said *Francis Lightfoot*, his Brother, died seised; as well those so devised by the said *Philip*, his Father, as those purchased by the said *Francis*, his Brother, as aforesaid; and hath since paid to the Petitioner *Beverley Randolph*, (who afterwards intermarried with the Petitioner *Elizabeth*.) the several Sums of One Thousand Pounds *Sterling*, and Two Thousand Five Hundred Pounds Currency, according to his said Brother's Will.

That the Petitioner *Beverley Randolph* apprehending, notwithstanding such Paiment, that he is entitled to the Lands so devised by the said *Philip*, in Right of his Wife, as being entailed upon *Francis*, the Son of the said *Philip*: And the Petitioner *Philip* apprehending, that by such Paiment, he is entitled, by Virtue of the Will of the said *Francis*, and the plain Intention thereof, to the said Land, or to a Satisfaction for the same, out of the Money already by him so paid, as aforesaid; several Suits at Law and Equity have been brought by the Petitioners against each other, according to their several Rights insisted upon, as aforesaid.

That the Petitioners have come to an Agreement, that in Consideration of a Certain Sum of Money to be paid by the Petitioner *Philip Lightfoot*, to the Petitioner *Beverley Randolph*, the Petitioner *Philip Lightfoot* should have and enjoy the said devised Lands, to him and his Heirs, in Fee Simple, according to the Intention of the Will of the said *Francis Lightfoot*: But such Agreement cannot be effectual and binding, in Case the said Land should be adjudged to be entailed, without an Act of Assembly to establish the same.

In Regard therefore, that great Sums of Money may be expended in the said Law Suits, to the great Damage of the Petitioner: And that in Case the Petitioner *Beverley Randolph* should recover the said devised Lands, the same being separate from the Lands adjoining, purchased by the said *Francis*, would not be of so great Value, and of little Benefit to him, in Case he should be decreed to pay, or refund the Value thereof, out of the Money already received from the Petitioner *Philip*; and in Regard, it will be for the Benefit of all Parties, and preserve all the Lands of the said *Francis Lightfoot*, in his Name, according to the plain Intention of his Will: Praying therefore, that Leave be
given

given to bring in a Bill, for vesting the said Land in the Petitioner *Philip*, and his Heirs, for ever, upon his paying the Sum of Money agreed upon. It was thereupon

Ordered, That Mr *Attorney-General* prepare and bring in a Bill, according to the Prayer of the said Petition.

A Petition of *Bridget Peirce*, the Proprietor of the Public Warehouse at *Pungoteague*, was presented to the House, and read; setting forth, That since the late Act of Assembly, for ascertaining the Rents of several Warehouses in Virginia, the said *Bridget Peirce* has been obliged to build a House Thirty Feet in Length, Twenty Feet in Breadth, with an Eight Feet Shed on each Side, and a Plank Floor of Twenty Feet Square. And praying, That her Yearly Rent might be increased, according to the Proportion of the said Buildings: And thereupon

Ordered, That the Consideration of the said Petition be referred to the Committee of Public Claims: And that they do examine the Allegations thereof; and report the same, with their Opinion thereupon, to the House.

Mr *Harrison* moved for Leave to bring in a Bill, for laying a Duty on all Horses or Mares imported into this Colony, from the Northern Colonies; and also, for laying a Duty on all live Cattle exported from this Colony, to those Northern Colonies. And after a Debate, the Question being thereupon put,

It passed in the Negative.

Resolved, That the said Motion be rejected.

A Petition of *John Lidderdale*, of the City of *Williamsburg*, Merchant, and *Elizabeth* his Wife, was presented to the House, and read; setting forth, That the said *John*, some Time in the Year of Our Lord 1738, with the Consent and Approbation of *William Robertson*, late of the said City, Esq; deceased, intermarried, with the said *Elizabeth*, the only Daughter, and Heir, of the said *William Robertson*.

That before the said Marriage, the said *William Robertson* entred into an Agreement with the said *John*, That in Case the said Marriage should take Effect, he would settle upon the said *John*, and his said Daughter, and their Heirs, 330 Acres of Land, in the County of *York*, his Dwelling-house and Lots thereto adjoining, in the City of *Williamsburg*, and another Tenement or Lot in the said City; reserving to himself, an Estate for life only. And further agreed, that he would sell 2800 Acres of Land, in the County of *Hanover*, and 750 Acres of Land, in the County of *Brunswick*, whereof he was then seised; and would leave all his personal Estate to his said Daughter at his Death: Which said Agreement, the said *William Robertson* put into Writing, and signed; and delivered the same to the said *John*.

That some short Time after the said marriage of the Petitioners, the said *William Robertson* departed this Life, without making any Will; and before he had made any Settlement, according to his Agreement aforesaid, or had sold or disposed of the said Lands in the said Counties of *Hanover* and *Brunswick*; upon whose Death, the legal Estate of and in all and singular the Premises before-mentioned, descended and came to the said *Elizabeth*, who being now under the Age of Twenty One Years, is not able to join in any Conveyance for settling the same, pursuant to the Agreement aforesaid: And praying, That Leave may be given to bring in a Bill, for settling the said Lands, Tenements, and Hereditaments, in the County of *York*, and City of *Williamsburg*, to the Uses mentioned in the said Marriage Agreement: And to enable the said *John* to sell and dispose of the said Lands and Hereditaments in the Counties of *Hanover* and *Brunswick*; or that they might be settled to the same Uses. Whereupon it was

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition: And that Mr *Richard Randolph*, and Mr *Conway*, prepare and bring in the same.

The Claim of *Joseph Combs*, for taking up a Runaway Slave, therein mentioned, was presented to the House, and received.

Also, the Claim of *Daniel Saunders*, for taking up a Runaway Slave, therein mentioned, was presented to the House, and received.

Ordered,

Ordered, That it be an Instruction to the Committee of Claims, to allow the same in the Book of Claims.

Upon a Motion made, the House was called over; and Excuses were made for the absent Members; which were allowed.

A Message from the Governor, by Mr Needler:

Mr Speaker,

I am commanded by the Governor, to acquaint this House, that his Honour is now ready to receive the Addressees in the Council Chamber.

Accordingly Mr Speaker, with the House, went up; and being returned, reported, That he had, with the House, attended the Governor in the Council Chamber, and presented their Addressees; to which he was pleased to give the following Answer:

Gentlemen,

I give you my hearty Thanks for your very obliging and dutiful Addressees: And though I was sensible you came together with Hearts full of Zeal and Affection for His Majesty's Service, and were determined to take that Part, which the Interest and Safety of your Country required: Yet, to find that we are like to agree in Sentiments, is a very particular Satisfaction to me; and gives me Hopes, that whether in Military or Civil Affairs, VIRGINIA will be known, by our Behaviour, to be the Eldest Sister.

Mr Fitzhugh reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, divers Propositions from several Counties to them referred: And had come to several Resolutions thereupon: Which he read in his Place; and afterwards delivered in at the Table; where the Resolutions were again read: And upon the Question severally put, agreed to, by the House, as follows:

Resolved, That the Propositions from the Counties of *Effex*, and *King George*, for repealing the Act, *For amending the Staple of Tobacco*; and for preventing Frauds in His Majesty's Customs, be referred to the Consideration of the next Session of Assembly.

Resolved, That the Propositions from the Counties of *Prince William*, *Stafford*, *Westmoreland*, *Richmond*, *King George*, and *Henrico*, for erecting several new Warehouses therein mentioned, be referred to the Consideration of the next Session of Assembly.

Resolved, That the Proposition from the County of *Prince William*, for raising the Rents of Warehouses in that County, be referred to the Consideration of the next Session of Assembly.

Resolved, That the Proposition from the County of *Effex*, for amending the Law, in Relation to holding Orphans Courts, is reasonable.

Ordered, That the Committee of Propositions and Grievances, do prepare and bring in a Bill, according to the said Resolution.

Ordered,

That the House be adjourned 'til Monday Morning, Ten o'Clock.

Monday, May 26, 1740.

Ordered,

THAT Mr Corbin be added to the Committee of Propositions and Grievances, and to the Committee of Privileges and Elections.

Ordered, That Mr Macon, Mr Muscow, and Mr Boush, be added to the Committee of Courts of Justice.

Mr Speaker informed the House, that he had in his Hands a Letter from his Grace the Duke of Newcastle to the Governor; which he had Directions to lay before this House: Whereupon it was read, and ordered to lie upon the Table, for the Perusal of the Members.

A Petition of *Susannah Randolph*, Guardian to *Peyton Randolph*, Proprietor of the Public Warehouses at the College Landing, was presented to the House, and read; setting

letting forth, That since the laſt Seſſion of Aſſembly, the Warehouſes, at the Place aforeſaid, being too ſmall to receive the Tobacco brought there, another Warehouſe 40 Feet long, and 20 Feet wide, was obliged to be built, at a conſiderable Expence. And praying ſome Allowance for the ſame, and an Increaſe of the Rent of the ſaid Warehouſes.

Alſo the Petition of *William Sydnor*, Proprietor of the Public Warehouſe at *Deep Creek*, was preſented to the Houſe, and read; letting forth, That the Houſes built for Reception of Tobacco, at the Place aforeſaid, being too ſmall to hold the Tobacco brought thither, the Petitioner had been obliged to ſuffer a Tobacco Houſe of 32 Feet to be applied to that Uſe, from the Year 1733, to this Time. And by Order of the Court of the ſaid County, he was laſt Year obliged to build a new 40 Feet Warehouſe, 10 Feet pitched, 20 Feet wide, and ſhedded on each Side with Sheds 4 Feet and an Half pitched: And alſo to double cover one other of the Warehouſes, and make a Plank Floor, 20 Feet by 10, for the Conveniency of Scales, and Heading Tobacco: All which have been expenſive to him. And praying an Allowance for the ſame, and an additional Rent for the ſaid Houſes.

Alſo, a Petition of *Patrick Spence*, and *John Martin*, was preſented to the Houſe, and read; letting forth, That the ſaid *Patrick Spence* is Proprietor of the Land whereon the Warehouſes at *Nominy*, in *Westmoreland* County, are built: And an Order being made, by the Court of the ſaid County, for building a 60 Feet ſhedded Warehouſe, and repairing the other Warehouſes, and building convenient Wharfs there, the ſaid *Patrick* undertook, and hath compleated the ſame: And hath alſo built a Scale Houſe, 24 by 20 Feet.

That the ſaid *John Martin* is Proprietor of the Land at *Mattox*, in the ſaid County, whereon the Public Warehouſes are built: And that he likewiſe, in Purſuance of an Order of the ſaid Court, hath lately built a 40 Feet ſhedded Warehouſe, and repaired the other Warehouſes, and provided ſubſtantial Wharfs there.

That the Petitioners have reſpectively been at great Expence and Trouble, in compleating the ſaid Buildings; and have received no Satisfaction or Compensatiſon for the ſame. And praying the Conſideration of the Houſe in the Premises, and ſuch Satisfaction as they ſhall think reaſonable.

Ordered, That the ſaid ſeveral Petitions be referred to the Conſideration of the Committee of Public Claims: That they examine the Matter of the ſaid Petitions reſpectively; and report the ſame, as it ſhall appear to them, with their Opinion thereupon, to the Houſe.

Mr Fitzhugh reported, That the Committee of Propoſitions and Grievances, had had under their Conſideration, ſeveral other Propoſitions from ſeveral Counties to them referred: And had come to ſeveral Reſolutions thereupon; which he read in his Place, and afterwards delivered in at the Table.

Ordered, That the ſaid Report do lie upon the Table.

Mr Fitzhugh reported, That the Committee appointed, had, according to Order, prepared a Bill, for prolonging the Time for bringing Tobacco to the Public Warehouſes: Which was received, and read the firſt Time. And

Ordered to be read a ſecond Time.

Mr Attorney reported, from the Committee of Courts of Juſtice, That they had, according to Order, inſpected the Journal of the laſt Seſſion; and prepared and drawn up a State of the Matters then depending and undetermined; and the Progreſſs that was made therein: And had agreed upon a Report thereupon.

And that the ſaid Committee had alſo, according to Order, examined what Laws have expired ſince the laſt Seſſion of Aſſembly; and inſpected ſuch temporary Laws as will expire with, or ſoon after the End of this Seſſion of Aſſembly; and had come to a Reſolution thereon: Which ſaid report he read in his Place; and afterwards delivered in at the Table.

Ordered, That the ſaid Report lie on the Table.

The

The Order of the Day being read, the House resolved itself into a Committee of the whole House, to consider of Heads of a Bill, for putting the Militia on such a Footing, as will better enable them to contend with regular Troops: And after some Time spent therein, Mr Speaker resumed the Chair; and Mr *Fitzhugh* reported, from the Committee, That they had had under their Consideration, the Matter to them referred; and were come to several Resolutions thereupon: Which he read in his Place; and afterwards delivered in at the Table.

Resolved, That this House will take the said Report into Consideration, To-morrow.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Tuesday, May 27, 1740.

A Petition of the Planters and Inhabitants, residing in that Part of *Norfolk* County, which lies above the Bridge, called *Great Bridge*; and of sundry other Gentlemen and Inhabitants of the said County, whose Names are thereunto subscribed, was presented, and read; praying, That a Warehouse might be erected at *Bridge Landing*, in the said County.

Also a Petition of the Freeholders and Inhabitants of *New Town*, in the County of *Princess-Anne*, was presented, and read; praying, That an Act of Assembly may be made, to constitute, confirm, and appoint the said Place for a Town, called by the Name of *New-Town*.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Propositions and Grievances: That they examine into the several Matters thereof; and report the same, with their Opinion thereupon, to the House.

A Petition of the Justices of *Caroline* County, was presented to the House, and read; praying, That a Reimbursement be made them of the Charge of building Two Warehouses at *Roy's*, and One at *Conway's*, Forty Feet Square each.

Also, a Petition of *James Reid*, Proprietor of the Public Warehouses at *Urbanna*; praying, an additional Rent for the said Houses, sufficient to reimburse him the Charge of building, by Order of the County Court, a Warehouse Forty Feet Long, and Twenty Feet wide, with a shed on one Side.

Also, a Petition of *Richard Randolph*, Gentleman; praying, an additional Rent for the Warehouses at *Warwick*, of which he is Proprietor, in order to reimburse him the Charges of building a Warehouse Sixty Feet long, and Forty Feet wide, there; which, by Order of the County Court, he was obliged to build.

Also, a Petition of the Justices of *King George* County; praying, to be repaid Five Pounds, which they have paid Mr *Thomas Turner*, for Hire of House Room for Three Hundred Hogheads of Tobacco, that the Warehouses at *Gibson's* were not sufficient to receive.

And also, a Petition of the Justices of *Isle of Wight* County; praying, to be reimbursed the Charges of building a Warehouse Forty Feet long, and Twenty Feet wide, at *Wainwright's*; and another, of the same Dimensions, at *Warwick/Jqueak Bay*.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Claims: That they do examine into the several Matters thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Martin* moved for Leave to bring in a Bill, for amending the Act, for preventing Frauds in the Customs, and in Clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent the casting of Ballast and dead Bodies into Rivers and Creeks.

Ordered, That Leave be given to bring in a Bill, according to the said Motion; and that Mr *Martin*, Mr *Willis*, and Mr *Carter*, prepare and bring in the same.

A Petition of *Martha Catlet*, Widow, and Adminiftratrix of *Thomas Catlet*, late of *Caroline* County, deceased, was presented to the House, and read; setting forth, That the said *Thomas Catlet*, about Eight Months ago, departed this Life, leaving the Petitioner, and Eight Children under Age, and indebted to divers Persons, in the Sum of Nine Hundred Pounds; which is more than his Slaves and personal Estate, upon the Appraifement thereof, amounted to:

That about Three Years ago, the said *Thomas Catlet* purchased of Colonel *William Woodford*, a Tract of Land, containing Three Hundred Acres, or thereabouts, lying on *Rappahanock* River, in *King George* County, between the land of *Joseph Berry*, and *Samuel Skinker*; upon which, the said *Catlet* made very small Improvements: And for the Paiment of the Consideration Money for the said Purchase, he borrowed of Captain *Daniel McCarty*, the sum of One Hundred and Eighty Pounds *Sterling*, and gave his Bond for the same; which Sum, and the Interest thereof, now remains unpaid:

That he likewise died seized of Two other valuable Tracts of Land, lying in the County of *Caroline*; which descending to his eldest Son *Thomas Catlet*, the Son will, even if the Petitioner is herein relieved, be more amply provided for, and have much more of his Father's Estate, than the Petitioner, and all the other younger Children together:

In Regard therefore, that the said Debt of One Hundred and Eighty Pounds *Sterling*, now lying as a Load on the personal Estate, was contracted for the Paiment of the Purchase of the said Land; which Land ought therefore, in good Conscience, as the Petitioner conceives, to be applied toward the Paiment of the said Debt; and in Regard, all the Slaves, and the whole personal Estate, will be entirely swallowed up in the Paiment of that and other Debts, whereby the Petitioner, and the younger Children, will be left destitute, and utterly unprovided of any manner of Subsistence:

And praying, in Behalf of herself, and her helpless younger Children, That Leave may be given to bring in a Bill, to vest the said Land in the Petitioner, or any other Persons this Honourable House shall think fit, in Trust, to sell the same; and to apply the Money arising by such Sale, to discharge and satisfy the Debts justly due and owing, by and from the said *Thomas Catlet*, at the Time of his Death:

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and it is referred to Mr *Attorney*, and Mr *Carter*, to prepare and bring in the same.

Mr *Fitzhugh*, according to Order, presented to the House a Bill, for holding Orphans Courts; and the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

The House, according to Order, proceeded to the Consideration of the Report made Yesterday, from the Committee of the whole House; and the same being twice read, and the Question severally put thereupon, was, with some Amendments, agreed to, by the House, as follows:

Resolved, That during the present War, the Militia shall be more frequently trained and exercised; and that they shall be often fined for not attending at Musters.

Resolved, That Two Thousand Pounds, out of the Money in the Hands of the Treasurer, be applied towards supplying the Militia with Arms.

Resolved, That all Persons that are directed to be Lifted, by the Act, intituled, *an Act, for the better Regulation of the Militia*, shall be obliged to personal Attendance.

A Motion being made, That One Shilling, or Twelve Pounds of Tobacco, be taxed on every tithable Slave, towards supplying the Militia with Arms: After a Debate, the Question being put thereupon,

It passed in the Negative.

Resolved, That the said Motion be Rejected.

Then a Motion was made, That a Tax of One Shilling *per* Hoghead be laid on all Tobacco exported, for supplying the Militia with Arms: Whereupon a Debate arose, and the Question being put,

It passed in the Negative.

Resolved, That the said Motion be Rejected.

Ordered,

Ordered, That a Bill be prepared and brought in, pursuant to the Report of the said Committee; and that the Committee of Propositions and Grievances do prepare and bring in the same.

The House proceeded to the Consideration of the Report made Yesterday, from the Committee of Propositions and Grievances; and the same being read, Part of the said Report was agreed to, as follows:

Resolved, That the Proposition from the County of *Richmond*, for explaining the Act, concerning *Servants and Slaves*; and to declare whether *Convict Servants* are entitled to *Freedom Dues*, be Rejected.

Resolved, That the Proposition from the County of *Richmond*, to prohibit setting Fire to the Woods, be Rejected.

Resolved, That the Proposition from the County of *Richmond*, for declaring how far the Law, which renders *Negros, Mulattos, and Indians* incapable of giving Testimony in any Court of this Colony, except on Trial of a Slave committing a Capital Offence, doth extend, with Respect to the Descendents of *Mulattos*, be Rejected.

Resolved, That the Proposition from the County of *Accomack*, against striking of Fifth, from the First Day of *April*, to the Last Day of *August*, in any Year, be Rejected.

Resolved, That the Proposition from the County of *Accomack*, for destroying *Squirrels* and *Crows*, be Rejected.

Resolved, That the Proposition from the County of *Accomack*, that Public Officers, who are obliged by Law to take the usual Oaths of the Government, and the Oath of their Office, may not be chargeable for any Fee for the same, be Rejected.

Resolved, That the Proposition from the County of *Accomack*, that Constables be not obliged to view Tobacco Fields, be Rejected.

On Consideration of a Proposition from the County of *Richmond*, for explaining and amending so much of the Act, for settling the Titles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon, as relates to Proceffioning Lands,

Resolved, That that Part of the said Act ought to be explained and amended.

On Consideration of the Proposition from the County of *Accomack*, That Deeds of Bargain and Sale made, in Pursuance of the Act, intituled, *An Act, for amending the Act, for settling the Titles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon*, may be acknowledged or proved, in the Court of the County where the Lands lie, and certified by the Clerk of such County Court, to the General Court, to be there recorded; and that all such Deeds heretofore, so acknowledged or proved, and certified, and recorded, may be confirmed.

Resolved, That the Proposition is reasonable.

And to the Resolution of the said Committee, That the Proposition from the County of *Effex*, for amending the Act, appointing Vestries; and for directing what Number of Vestrymen may hold a Vestry, or make an Order; and that for the future, all Vestries be dissolved once in Seven Years, and a new Vestry elected by the Freeholders of the Parish, be Rejected.

Also to another Resolution of the said Committee, That the Proposition from the County of *Accomack*, for every Court of Record in this Colony to be provided with a Seal for the Use of the said Court, is reasonable.

And also to another Resolution of the said Committee, That the Proposition from the County of *Stafford*, for altering and amending the Law, directing that no Execution shall be served for Tobacco, between the Last Day of August, and the Last Day of December, in every Year, is reasonable,

The House disagreed.

Ordered, That a Bill be brought in, pursuant to the Proposition from the County of *Effex*, for amending the Act, appointing Vestries; and for directing what Number of Vestrymen may hold a Vestry, or make an Order; and that for the future, all Vestries be dissolved once in Seven Years, and a new Vestry elected by the Freeholders of the Parish. And it is referred to the Committee of Propositions and Grievances, to prepare and bring in the same.

Ordered,

Ordered, That a Bill be prepared and brought in, pursuant to the Resolution, for explaining and amending so much of the Act, *for Settling the Titles and Bounds of Lands; and preventing unlawful Shooting and Ranging thereupon*, as relates to Proceffioning Lands. And it is referred to the Committee for Courts of Justice, to prepare and bring in the same.

Ordered, That Bills, pursuant to all the other Resolutions, be prepared and brought in by the Committee of Propositions and Grievances.

A Motion being made, Leave was given to bring in a Bill, for destroying Crows and Squirrels, in the Counties of *Accomack*, and *Northampton*. And it is referred to Mr *Scarburgh*, and Mr *Harmanfon*, to prepare and bring in the same.

The House proceeded to the Consideration of the Report made Yesterday, from the Committee for Courts of Justice, touching such matters as were depending and undetermined the last Session of Assembly; and the Progress that was made therein.

Ordered, That Leave be given to bring in a Bill, for laying out a Piece of Ground, at a Place called *Bray's Church*, in the County of *King George*, for a Town. And it is referred to Mr *McCarty*, to prepare and bring in the same.

Ordered, That the Proposal of *Joshua Fry*, and *Robert Brooke*, to make an exact Survey of this Colony, and print and publish a Map thereof; in which shall be laid down the Bay, the navigable Rivers, with their Soundings; Counties, Parishes, Towns, and Gentlemens Seats, and whatever else is remarkable; which was referred from the last Session of Assembly, be again further referred to the Consideration of the next Session of Assembly.

The House also proceeded to the Consideration of the Report of the Committee for Courts of Justice, touching such Laws as have expired since the last Session, and such temporary Laws as will expire with, or soon after, the End of this Session of Assembly.

Resolved, That the Act, *for making more effectual Provision against Invasions and Insurrections*, which was continued last Session, and will expire on the First Day of *November*, in the Year of our Lord One Thousand Seven Hundred and Forty One, be further continued, with Amendments.

Ordered, That the Committee for Courts of Justice, prepare and bring in a Bill, pursuant to the said Resolution.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Wednesday, May 28, 1740.

MR. *Fitzhugh* reported, from the Committee of Propositions and Grievances, That the Committee had had under their Consideration, divers other Propositions from several Counties, to them referred; and had come to several Resolutions thereupon: Which he read in his Place, and afterwards delivered in at the Table; where the same were again read: And the Question being severally put thereupon, Part of the said Report was agreed to by the House, as follows:

Resolved, That the Proposition from the County of *King* and *Queen*, for Erecting a new Warehouse at *Thomas Turner's* Land, in that County, be referred to the Consideration of the next Session of Assembly.

Resolved, That the Propositions from the Counties of *Accomack*, *Stafford*, and *Hanover*, for altering the Law, *for the more speedy and easy Recovery of small Debts*, be Rejected.

Resolved, That the Proposition from the County of *Stafford*, for allowing a Lawyer's Fee in all Cases, upon Petitions for small Debts, be Rejected.

Resolved, That the Propositions from the Counties of *Stafford*, and *Hanover*, for Altering the Act, *prescribing the Method for proving Book Debts*, be Rejected.

Resolved,

Resolved, That the Proposition from the County of *Hanover*, for Repealing the Law, which prohibits iffuing Executions againft a Debtor's Body, upon a Judgment obtained before a fingle Juftice of the Peace, be Rejected.

Resolved, That the Proposition from the County of *Spotsylvania*, for allowing the County Courts in this Colony, Liberty to whip and difcharge fuch Criminals, as they fhall judge guilty of Petit-Larceny, without the Formality of a Jury, be Rejected.

Resolved, That the Proposition from the County of *Lancaster*, for obliging the Owners of Convict Women Servants, to bear the Parifh harmlefs from the Charges which may accrue, by Occafion of the faid Servants having Baftards, during their Servitude, is reasonable.

Resolved, That the Proposition from the County of *King William*, for allowing *Francis Weft* to keep an Ordinary on his Land, adjoining to the main Road which leads from *Weft Point*, to the Courthoufe of that County, be Rejected.

Resolved, That the Proposition from the County of *Stafford*, againft altering the Bounds of that County, be Rejected.

Resolved, That the Proposition from the County of *King George*, againft altering the Bounds of that County, be Rejected.

Resolved, That the Proposition from the Inhabitants of *Westmoreland* County, above *Maddox* Creek, to be divided from that County, and annexed to the County of *King George*, be Rejected.

Resolved, That the Proposition from *Prince William*, for dividing that County, in the fame Manner, as the Parifhes of *Truro* and *Hamilton*, in the faid County, are divided, is reasonable.

Resolved, That the Proposition from the County of *Goochland*, for dividing that County, and erecting a new County at the Head thereof, is reasonable.

Resolved, That the Proposition from the Upper Inhabitants of *King* and *Queen* County, to be divided from that County, and added to *Caroline* County, is reasonable.

On Confideration of the Proposition from the Inhabitants and Freeholders above the little Mountains, in *Hanover* County, That the Notes of the Infpectors at *Fredericksburg*, may be allowed to pafs in Paiment of their Public Dues, and Officers Fees, in the faid County of *Hanover*,

Resolved, That the faid Proposition is reasonable.

On Confideration of the Proposition from the County of *Prince William*, for appointing a Ferry at *John Hereford's* Plantation, in *Doeg's* Neck, over *Patowmack* River, to the Lower Side of *Pamunkey*, in *Prince George* County, in *Maryland*,

Resolved, That the Keeping a Ferry at the Place propofed, will be convenient for Travellers.

On Confideration of a Proposition from the County of *Hanover*, for allowing a Bridge to be built, by Subfcription, from *New-Town*, in that County, over *Pamunkey* River, to the Land of *Edmund Littlepage*, in the County of *King William*; and for providing for the Support thereof,

Resolved, That the faid Proposition is reasonable.

Resolved, That the Proposition from the County of *Surry*, for obliging the Juftices to agree with Workmen to repair the Bridge over *Nottoway* River, at *Hunt's* Landing, in that County; and to keep it always afterwards in good Repair, at the Expence of the County, is reasonable.

Resolved, That the Proposition from the County of *Norfolk*, for erecting a new Warehoufe at *Bridge* Landing, in that County, be referred to the Confideration of the next Seffion of Affembly.

On Confideration of a Proposition from the Freeholders and Inhabitants of *New-Town*, in the County of *Princess-Anne*, for confirming their Titles to the Lands purchafed at that Place; and for appointing and eftablifhing the fame for a Town, by the Name of *New-Town*, as it is now bounded and laid out,

Resolved, That the faid Proposition is reasonable.

And

And to the Resolution of the Committee, That the Proposition from the County of *Lancaster*, for declaring, whether the Oath of Convict Women Servants, who, during their Servitude, shall have Bastards, may be allowed to relieve their Owners, in case the reputed Fathers of such Bastards, be Freemen, be Rejected.

Also, to another Resolution of the said Committee, That the Proposition from the County of *Accomack*, for prolonging the Time of Sale of Transfer Tobacco remaining in the Public Warehouses, be referred to the Consideration of the next Session of Assembly,

The House disagreed.

A Bill, for prolonging the Time of bringing Tobacco to the Public Warehouses, was read the second Time.

Ordered, That it be committed to the Committee who prepared it.

Ordered, That it be an Instruction to the said Committee, to receive a Clause or Clauses, pursuant to the Resolution, That the Inhabitants and Freeholders above the little Mountains, in *Hanover*, may be allowed to pay the Notes of the Inspectors at *Fredericksburg* Warehouse, in Discharge of their Public Dues, and Officers Fees, in the said County of *Hanover*.

And also, That it be a further Instruction to the said Committee, to receive other Clause or Clauses, pursuant to the Proposition from the County of *Accomack*, for prolonging the Time of Sale of Transfer Tobacco.

Ordered, That it be an Instruction to the Committee, who are appointed to prepare and bring in a Bill, for laying out a Piece of Ground at *Bray's Church*, for a Town, That they receive a Clause or Clauses, for confirming the Titles of the Freeholders and Inhabitants of *New-Town*, in the County of *Princess-Anne*, to the Lands purchased at that Place: And for appointing and establishing the same, by the Name of *New-Town*, as it is now bounded and laid out: And that the Members of *Princess-Anne*, be added to the said Committee.

Ordered, That the Committee of Propositions and Grievances, prepare and bring in a Bill or Bills, pursuant to all the other Resolutions.

Ordered, That it be an Instruction to the said Committee, That they receive a Clause or Clauses, for declaring, whether the Oath of Convict Women Servants, who, during their Servitude, shall have Bastards, may be allowed to relieve their Owners, in case the reputed Fathers of such Bastards, be Freemen.

A Petition of *Anthony Walke*, was presented to the House; praying, an Allowance for the Rent of a Warehouse 50 Feet long, and 20 Feet wide, which he was obliged to build at *Kemp's* Warehouse, of which he is Proprietor.

Also, a Petition of the Justices of *Westmoreland* County; praying, to be reimbursed the Sum of Nineteen Pounds Ten Shillings, which they were obliged to pay for Hire of Houses at *Maddox*, and *Nominy*, in the said County, the Warehouses not being sufficient to hold all the Tobacco brought there.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Claims: And that they do examine the Matter of the said Petitions respectively; and report the same, with their Opinion thereupon, to the House.

A Motion being made by the Committee of Claims, for the Direction of this House, whether they should allow the *Venire* Men, according to the true Distance, or according to the Clerks Certificates?

Ordered, That all *Venire* Men be allowed, according to the true Distance.

A Claim of *William Drummond*, for taking up One Servant Man, therein mentioned, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said Claim in the Book of Claims.

Mr Attorney presented to the House, according to Order, a Bill, for Docking the Entail of certain Lands, in the County of *Charles City*, and vesting the same in *Philip Lightfoot*, Esq; in Fee Simple; which was read the first Time.

Ordered, That the Bill be read a second Time.

A Bill, for holding Orphans Courts, was read a second Time.

Ordered, That the said Bill be committed for Amendments to the Committee for Courts of Justice.

Mr Randolph reported, That the Persons appointed, had, according to Order, prepared a Bill, for settling certain Lands, Tenements, and Hereditaments, late the Estate of *William Robertson*, Esquire, deceased, pursuant to an Agreement made, upon the Marriage of *John Lidderdale* with *Elizabeth*, his now Wife, the Daughter, and Heir, of the said *William Robertson*; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

Mr Beverley reported, That the Committee of Public Claims had had under their Consideration, several Propositions to them referred; and had come to several Resolutions thereupon: Which he read in his Place, and delivered in at the Table.

Ordered, That the said Report do lie on the Table.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'clock.

Thursday, May 29, 1740.

A Petition of *Tabitha Adams*, Widow, in Behalf of herself, and the Orphans of *Ebenezer Adams*, deceased, was presented to the House, and read; praying, to be reimbursed the Sum of Three Pounds, which was stopped out of the Rents of the Warehouse, by the Inspectors at *Bowler's*, in *Effex*, by Order of the Court of the said County, to pay for the building an House for their Entertainment there.

Ordered, That the said Petition be referred to the Consideration of the Committee of Public Claims: And that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

An Account of *Hannah Shields*, deceased, for entertaining the *Nottoway*, and *Nansemond* Indians, was presented to the House, and received.

Ordered, That the said Account be referred to the Committee of Public Claims: And that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

Mr Martin moved for Leave to bring in a Bill, for laying an additional Duty of Five per Cent. on all Slaves imported into this Colony: And the Question being put thereupon,

Resolved, *Nemine Contradicente*, That the said Bill be brought in: And it is referred to *Mr Martin*, and *Mr Conway*, to prepare and bring in the same.

A Petition of the Justices of *Elizabeth-City* County, was presented to the House, and received; praying, an additional rent for the Warehouses at *Hampton*, to reimburse them the Charge of building a Shed 50 Feet long, and 10 Feet Wide, there, for the Reception of Tobacco.

Ordered, That the said Petition be referred to the Consideration of the Committee of Public Claims: And that they do examine the Matter thereof; and report the same, with their Opinion thereupon, to the House.

Mr Fitzhugh reported, That the Committee appointed, had, according to Order, prepared a Bill, for dividing *Prince William* County:

And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for Docking the Entail of certain Lands, in *Charles City* County, and vesting the same in *Philip Lightfoot*, Esquire, in Fee Simple, was read the second Time.

Ordered, That the said Bill be committed to *Mr Attorney*, *Mr Carter*, *Mr Willis*, and to the Members of *Charles City* County: And that they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House.

A Bill, for felling certain Lands, Tenements, and Hereditaments, late the Estate of *William Robertson*, Esquire, deceased, pursuant to an Agreement made, on the Marriage of *John Lidderdale* with *Elizabeth*, his now Wife, the Daughter, and Heir, of the said *William Robertson*, was read the second Time.

Ordered, That the said Bill be committed to Mr *Randolph*, and to the Members for *York County*: And that they do examine the Allegations thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Friday, May 30, 1740.

A Petition of *George Braxton*, the younger, was presented to the House, and read; setting forth, That since the last Session of Assembly, *William Banks* had sold and conveyed to him 420 Acres of Land, in the Parish of *St. Stephen*, in the County of *King* and *Queen*, Part of a greater Tract of Land, called *Mantapike*, which the Petitioner finds to be entailed: That the said *William Banks* is willing to settle 700 Acres of Land, whereof he is seised, in Fee Simple, in the Parish of *Saint John*, in the County of *King William*, of greater Value than the said 420 Acres, to the same Uses as the said entailed Lands, in the County of *King* and *Queen*, are settled, by the Last Will and Testament of *William Banks*, his Grandfather. And praying, That Leave be given to bring in a Bill, to confirm his Title to the said 420 Acres of Land, Part of the above mentioned Tract, called *Mantapike*, upon the said *William Banks*'s settling the said 700 Acres of Land in *King William* County, to the same Uses as *Mantapike* Tract is settled, by the Last Will and Testament of the said *William Banks*, the Grandfather.

Ordered, That Leave be given to bring in a Bill, according to the Prayer of the said Petition; and it is referred to Mr *Corbin*, to prepare and bring in the same.

A Petition of *John Carter*, Keeper of the Public Goal, was presented to the House, and read; praying, That the Garden of the Prison may either be coarsely paled in, or that the sum of Five Pounds, or thereabouts, be allowed, to purchase Logs to fence in the said Garden.

Also, a Petition of the Justices of *Effex* County; praying, an additional Rent for the Warehouses at *Layton's*, to reimburse them the sum of 11,500 lbs. of Tobacco, for building Two Warehouses there; One 60 Feet long, and 25 Feet wide; the other 60 Feet long, and 20 Feet wide; also the Sum of Twenty Eight Pounds, for building one other Warehouse at *Bowler's*, 50 Feet long, and 20 Feet wide.

And also, the Petition of *William Basset*, Gentleman, Proprietor of the Public Warehouses at the *Brick-house*, in *New Kent* County; praying, an additional Rent, to reimburse him the Charge of building a Warehouse 44 Feet by 20, and Two 10 Feet Sheds, of the Length of the said House.

Ordered, That the said Petitions be referred to the Consideration of the Committee of Public Claims: And that they do examine the Matter of the said Petitions respectively; and report the same, with their Opinion thereupon, to the House.

Ordered, That it be an Instruction to the Committee, who are appointed to prepare and bring in a Bill, for dividing the County of *Goochland*, to receive a Clause or Clauses, to make the new County one distinct Parish.

Mr *Fitzhugh* reported, That the Committee of Propositions and Grievances, had had under their Consideration, a Proposition from the County of *Henrico*, for appointing a Ferry from the Warehouse Landing at *Warwick*, in that County, over *James River*, to the Land of *Thomas Moseley*: And had come to a Resolution thereupon; which he read in his Place, and delivered in at the Table: Where the same was again twice read, and agreed to, by the House, as follows:

Resolved,

Resolved, That a Ferry to be appointed at that Place, will be convenient for Travellers.

Ordered, That it be an Instruction to the Committee, who are appointed to prepare and bring in a Bill, for appointing a Ferry from *John Hereford's* Plantation, in *Doeg's Neck*, over *Potowmack* River, to the Lower Side of *Pamunkey*, in *Prince George* County, in *Maryland*, to receive a Clause or Clauses, for appointing a Ferry, according to the said Resolution.

Mr Attorney-General reported, from the Committee, to whom the Bill, for holding Orphans Courts, was committed, several Amendments made to the said Bill; which they had directed him to report to the House: And he read the Report in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table: And the Amendments were read, and agreed to, with an Amendment; and a Blank in the Bill was filled up at the Table.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Attorney reported, That the Committee appointed, had, according to Order, prepared a Bill, for continuing and amending the Act, intituled, *An Act, for making more effectual Provision against Invasions and Insurrections*; and the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for dividing the County of *Prince William*, was read the second Time; and the several Blanks were filled up at the Table.

Ordered, That the said Bill be ingrossed.

A Bill, for dividing the County of *Goochland*, and Parish of *Saint James*, was, according to Order, presented to the House, and read the first Time.

Ordered, That the said Bill be read a second Time.

Then the House proceeded to the Consideration of the Report from the Committee of Public Claims; and the same was read twice: And the Question being severally put thereupon,

Resolved, That an additional Rent of Five Pounds Ten Shillings *per Annum*, from the Tenth Day of *November* last, be allowed to *William Sydner*, Proprietor of the Public Warehouses at *Deep Creek*, in *Lancaster* County, for building a new Warehouse, with a Plank Floor, as mentioned in his said Petition.

Resolved, That an additional Rent of Four Pounds Ten Shillings *per Annum*, be allowed *Susannah Randolph*, Guardian to *Peyton Randolph*, Proprietor of the Public Warehouses at the *College* Landing, from the Tenth Day of *November* last, for building the Warehouse, in her Petition mentioned.

Resolved, That an additional Rent of Seven Pounds Ten Shillings *per Annum*, be allowed *Patrick Spence*, Proprietor of the Public Warehouse at *Nominy*, in *Westmoreland* County, for building a new Warehouse and Scale-house, from the Tenth Day of *November* last.

Resolved, That an additional Rent of Four Pounds *per Annum*, be allowed *John Martin*, Proprietor of the Public Warehouses at *Maddox*, in *Westmoreland* County, for building a new Warehouse, from the Tenth Day of *November* last.

Resolved, That an additional Rent of Five Pounds *per Annum*, be allowed the Justices of the County of *Caroline*, for a Warehouse built at *Conway's*, from the Tenth Day of *November* last; and Five Pounds *per Annum*, for building a Warehouse at *Roy's*, from the Tenth Day of *November*, 1738; and also Five Pounds *per Annum*, for building one other Warehouse at *Roy's*, from the Tenth Day of *November* last.

Resolved, That an additional Rent of Five Pounds Ten Shillings *per Annum*, be allowed *James Reid*, Proprietor of the Public Warehouses at *Urbanna*, for building a new Warehouse, with a Shed, from the Tenth Day of *November* last.

Resolved, That an additional Rent of Four Pounds *per Annum*, for each House, be allowed the Justices of the County Court of *Isle of Wight*, for building Two Warehouses; one at *Wainwright's*, the other at *Warwick's* Bay, from the Tenth Day of *November* last.

Resolved,

Resolved, That an additional Rent of Ten Pounds *per Annum*, be allowed *Richard Randolph*, Gentleman, for building a new Warehouse at *Warwick*, from the Tenth Day of *November* laſt.

Resolved, That the ſum of Five Pounds be allowed the Juſtices of *King George* County to reimburse them the Charges they have been at, in hiring Houſes at the Public Warehouſes at *Gibſon's*, for the Reception of Tobacco brought there, according to the Prayer of their Petition.

Ordered, That it be inſtruction to the Committee of Claims, to make Allowances in the Book of Claims, according to the ſaid Reſolutions.

A Bill, for dividing the County of *Goochland*, and Pariſh of *Saint James*, was read the ſecond Time: And an Amendment being made, and the Blanks filled up, the Queſtion was put, that the ſaid Bill be committed, It paſſed in the Negative.

Then a Motion was made, for a further Amendment to be made to the Bill at the Table: And after a Debate, the Queſtion being put thereupon, It paſſed in the Negative.

Ordered, That the ſaid Bill, with the Amendments, be ingroſſed.

Mr Martin reported, that the Committee appointed, had, according to Order, prepared a Bill, for amending the Act, intituled, *An Act, for preventing Frauds in the Cuſtoms, and in Clearing of Ships; for aſcertaining Collectors and Naval Officers Fees; and to prohibit and prevent the caſting of Ballaſt and dead Bodies into Rivers and Creeks:* And the ſame was received, and read the firſt Time.

Ordered, That the ſaid Bill be read a ſecond Time.

Ordered,

That the Houſe be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Saturday, May 31, 1740.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy; and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

A Petition of the Juſtices of the County of *New-Kent*, was preſented to the Houſe, and received; praying, to be reimbursed the Charge of 4220 Pounds of Tobacco, which they were obliged to pay *William Morris*, in the Year 1736, for building One new, and repairing the old Warehouſes at *Taskanask*; alſo, 3600 Pounds of Tobacco, which they were obliged to pay *Richard Littlepage*, for building a new Warehouse at his Landing, the ſame Year.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Public Claims: And that they do examine the Matter thereof; and report the ſame, as it ſhall appear to them, with their Opinion thereupon, to the Houſe.

Ordered, That *Mr Walke* have Leave to be abſent from the Service of this Houſe, 'til *Monday* next.

Mr Attorney reported, That the Committee appointed, had, according to Order, prepared a Bill, for amending the Act, intituled, *An Act, for ſettling the Bounds and Titles of Lands; and for preventing unlawful Shooting and Ranging thereupon;* as to ſo much thereof, as relates to Proceſſioning the Bounds of Lands: And the ſame was received, and read the firſt Time.

Ordered, That the ſaid Bill be read a ſecond Time.

Mr Fitzhugh reported, from the Committee, to whom the Bill, for prolonging the Time for bringing Tobacco to the Public Warehouſes, was committed, That they had made ſeveral Amendments to the ſaid Bill: Which he read in his Place, and afterwards delivered in at the Table; where the ſame were again read: And after a Debate, the Queſtion being put, That the ſaid Bill be re-committed, It paſſed in the Negative.

Then

Then the Amendments were severally read, and agreed to, by the Houfe, with an Amendment; and the Blanks in the faid Bill, were filled up at the Table.

Ordered, That the faid Bill, with the Amendments, be ingroffed.

Ordered, That Mr *Elligood* have Leave to be abfent from the Service of this Houfe, 'til *Monday* next.

Mr *Fitzhugh* reported, That the Committee appointed, had, according to Order, prepared a Bill, for the better Security of the Country, in the prefent Time of Danger; and the fame was received, and read the firft Time.

Ordered, That the faid Bill be read a fecond Time.

A Bill, intituled, *An Act, for dividing Prince William County*, was read the third Time.

Alfo a Bill, intituled, *An Act, for dividing the County of Goochland, and the Parifh of Saint James*.

And alfo, a Bill, intituled, *An Act, for enforcing the Execution of the Laws made, for the better managing and fecuring Orphans Eftates*.

Resolved, That the faid Bills do pafs.

Ordered, That Mr *Fitzhugh* do carry the faid Bills up to the Council, for their Concurrence.

A Bill, for amending the Act, *for preventing Frauds in the Customs, and in Clearing of Ships; for afcertaining Collectors and Naval Officers Fees; and to prohibit and prevent cafting of Balluft and dead Bodies into Rivers and Creeks*, was read the fecond Time.

Ordered, That the faid Bill be committed to Mr *Attorney*, Mr *Martin*, Mr *Harrifon*, Mr *Randolph*, and Mr *Hutchings*

Ordered, That Mr *Martin* be added to the Committee of Propofitions and Grievances.

Ordered, That Mr *Allen* be added to the Committee of Privileges and Elections.

Ordered,

That the Houfe be adjourned 'til *Monday Morning*, Ten o'Clock.

Monday, June 2, 1740.

A Petition of the Juftices of *Northampton County*, was prefented to^l the Houfe, and received; praying an additional Rent for the feveral Warehoufes at *Naffwadox* and *Hungars*, in the faid County, to reimburfe them the Charge of building a Shed, 60 Feet long, and 10 Feet wide, at *Naffwadox*; and an Houfe, 20 Feet fquare, at *Hungars*.

Alfo a Petition of the Juftices of the County of *Prince William*; praying an additional Rent for the Warehoufes at *Quantico*, to reimburfe them the Charges of building a Warehouse 52 Feet long, 20 wide, and 10 Feet high, together with a Shed on each Side of the fame, 10 Feet wide.

Ordered, That the faid Petitions be referred to the Confideration of the Committee of Public Claims: And that they examine the Matter thereof; and report the fame, as it fhall appear to them, with their Opinion thereupon, to the Houfe.

A Bill, for Explaining and Amending the Act, intituled, *An Act, for fettling the Titles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon*; as to fo much as relates to Proceffioning Lands; was read the fecond Time;

Ordered, That the faid Bill be committed to Mr *Attorney*, Mr *Willis*, Mr *Martin*, and Mr *Harrifon*.

Ordered, That Mr *William Aylett* have Leave to be abfent from the Service of this Houfe, 'till *Monday* next.

A Bill, *for the better Security of the Country, in the prefent Time of Danger*, was read the fecond Time.

Ordered, That the faid Bill be committed to Mr *Fitzhugh*, Mr *Willis*, Mr *Attorney*, Mr *Carter*, Mr *Randolph*, Mr *Conway*, Mr *Harrifon*, Mr *McCarty*, Mr *Martin*, and Mr *Hedgman*.

A Motion was made, That it be an Instruction to the said Committee, to receive a Clause or Clauses, to compel every House-keeper to keep one Musket and Bayonet well fixed, at his Place of Abode, for every Ten Tithable Slaves he shall be possessed of: And the Question being put thereupon, It passed in the Negative.

Resolved, That the said Motion be Rejected.

A Member, returned on a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oath of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and subscribed the Test, was admitted to his Place in the House.

A Bill, for continuing and amending the Act, for making more effectual Provision against Invasions and Insurrections, was read the second Time; and the Blanks in the Bill filled up at the Table.

Ordered, That the Bill be ingrossed.

A Bill, intituled, *An Act, for prolonging the Time for bringing Tobacco to the Public Warehouses; and for the Sale of Transfer Tobacco; and to allow the Inhabitants of Hanover County, above the little Mountains, to pay their Public Dues, and Officers Fees, with the Notes of Fredericksburg Warehouse*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr Attorney do carry the said Bill to the Council, for their Concurrence.

Mr Scarburgh, according to Order, presented to the House, a Bill, for destroying Crows and Squirrels on the Eastern Shore: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Petition of fundry Persons, whose Names are thereunto subscribed, in Behalf of themselves, and others, the Inhabitants of the County of *Prince William*, was presented to the House, and received; praying, That a Town might be erected, at the Ferry kept on both Sides of *Occoquan* River; and also, that the Rents of the Warehouses, in the said County, might be increased.

Ordered, That the said Petition be referred to the Consideration of the next Session of Assembly.

The House being informed, That the Justices of the said County, upon due Application made to them, had refused to certify the said Petition,

Ordered, That it be referred to the Committee of Privileges and Elections, to examine into the said Information; and report the Matter thereof, as it shall appear to them, with their Opinion thereupon, to the House.

A Petition of fundry Persons, whose Names are thereunto subscribed, in behalf of themselves, and others, the Inhabitants of *Prince William* County, was presented to the House, and read; praying, That a Ferry may be appointed from *Hunting Creek* Warehouse, upon the Land of Mr *Hugh West*, to *Frazier's* Point, in *Maryland*.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances: And that they do examine into the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon to the House.

Ordered, That Mr *Whiting* be added to the Committee of Propositions and Grievances.

Ordered, That Mr *Bowdoin* be added to the Committee of Public Claims.

A Petition of *Samuel Buckner*, complaining of an undue Election and Return of Mr *Beverley Whiting*, to serve in this present General Assembly, as a Burgess, for the County of *Glocester*, was presented to the House, and read.

Ordered, That the said Petition be referred to the Committee of Privileges and Elections: And that they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Tuesday,

Tuesday, June 3, 1740.

A Petition of the Vestry of *Bristol* Parish, in the County of *Prince George*, in Behalf of the said Parish, was presented to the House, and read; setting forth, That by the Act of Assembly, for dividing the County of *Prince George*, and Parish of *Bristol*, and adding Part of the County of *Brunswick*, to the new erected County, the Mother Church of the said Parish, as it before stood, and the Glebe, are included in the Bounds of *Dale* Parish: And that Two Chapels, which were, before that Act, within the said Parish of *Bristol*, are now within the Bounds of *Rawleigh* Parish; whereby the Inhabitants of the said *Bristol* Parish have suffered much in the Loss of their Buildings, Ornaments, Books, and Glebe. And praying such Satisfaction, as to the House, upon Consideration of the Premises, shall seem just.

Also, a Petition of sundry Persons, whose Names are thereunto subscribed, in Behalf of themselves, and others, the Inhabitants of *Prince William* County; praying, That a Town may be erected at the Head of *Quantico*.

Ordered, That the said several Petitions be referred to the Consideration of the Committee of Propositions and Grievances: And that they do examine the Matter thereof; and report the same, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Pugh* moved for Leave to present a Petition of the Churchwardens and Vestrymen of the Upper Parish of *Nansemond* County: And the same not being certified, the Question was put, That the said Petition be Received, It passed in the Negative.

Resolved, That the said Petition be Rejected.

The Treasurer laid his Accounts before the House, and the Title of the said Accounts was read.

Ordered, That the said Accounts be referred to the Consideration of the Committee, to whom it is referred, to prepare and draw up a State of the Duty upon Slaves, and the several Payments that have been made, with the Amount thereof: That they do examine the Articles of the said Accounts; and report the Ballance, as it shall appear to them, to the House.

Mr *McCarty* reported, That the Committee appointed, had, according to Order, prepared a Bill, for erecting a Town at *Bray's* Church, in the County of *King George*; and for establishing a Town in the County of *Princess-Anne*; and confirming the Titles to Lands, purchased therein: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr *Attorney* reported, That the Committee, to whom the Bill, for docking the Entail of certain Lands in the County of *Charles City*, and vesting the same in *Philip Lightfoot*, Esquire, was committed, had examined into the Allegations thereof, and found them to be true: And had made several Amendments to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again twice read: And the Question being severally put thereupon, were agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

Mr *Attorney* also reported, That the Committee, to whom the Bill, for Amending the Act, intituled, *An Act, for settling the Titles and Bounds of Lands; and for preventing unlawful Shooting and Ranging thereupon*; as to so much thereof, as relates to the Proceffioning the Bounds of Lands, was committed, had made several Amendments to the Bill: Which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table: Where the Amendments were again twice read, and agreed to, by the House: And the Question being put, That the Bill, with the Amendments, be ingrossed, and read the third Time, It passed in the Negative.

Resolved, That the said Bill be Rejected.

Mr *Conway* reported, That the Committee of Privileges and Elections, had had under their Consideration the Returns of the Writs for Electing Burgesses to serve in this present General

General Assembly, for the Counties of *James City*, and *Glocester*: And had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table; where the same was again read, and agreed to, by the House, as follows:

Resolved, That the Returns of the said Writs, are made in the Form prescribed by Law.

And Mr *Conway* further reported, That the Committee had also had under their Consideration, the Matter of Complaint against the Justices of *Prince William* County, to them referred, for refusing to Receive and Certify Two Propositions which were offered them: And that, upon examining into the said Complaint, it appeared to the Committee, by the Certificate of the Clerk of that County, That at a Court held for the said County of *Prince William*, the 12th Day of *May*, 1740, for Proof of Public Claims, and Receiving Propositions and Grievances, a Proposition signed by several Subscribers, praying, that the Rents of the several Public Warehouses in that County, might be raised; and that a Town might be erected at *Occoquan* Ferry; was presented to the Court, and Rejected: And that another Proposition, signed by several Subscribers; praying, that a Town might be erected at the Head of *Quantico* Creek, was presented in Court, and Rejected: And that it also appeared to the Committee, That the said Propositions were presented in Court, by *Richard Blackburn*, one of the Subscribers thereto; and that a Majority of the Justices then present, *viz. Valentine Peyton*, a Member of this House, *John Diskins*, *Anthony Seale*, *Thomas Strippling*, and *Thomas Harrison*, Junior, Gentlemen, did refuse to Receive and Certify the same, without giving any Reasons for so doing: And had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table; where the same being again read, and Mr *Valentine Peyton* Ordered to withdraw, was agreed to, by the House, as follows:

Resolved, That the said *Valentine Peyton*, *John Diskins*, *Anthony Seale*, *Thomas Strippling*, and *Thomas Harrison*, in refusing to Receive and Certify the said Propositions, have acted illegally, arbitrarily, and contrary to the Rights of the People.

And a Motion being made, That Mr *Valentine Peyton* do make an Acknowledgment of his Offence; and that he ask the Pardon of this House, for the same, in his Place: After a Debate, the Question being put thereupon,

It passed in the Affirmative.

Ordered, That the said Mr *Valentine Peyton* be called in; and that Mr *Speaker* inform him of the Resolution of this House.

And he being accordingly called in, and standing in his Place, Mr *Speaker* spoke to him as follows:

Mr *Peyton*,

I am commanded by this House, to inform you, That this House has come to a Resolution, that You and the Other Justices of Prince William County, have been guilty of a very great Offence, in refusing to Certify certain Propositions duly offered to you: And the House has Ordered, That You, in your Place, acknowledge your Fault, and ask the Pardon of this House, for the same.

Then Mr *Peyton*, in his Place, told the House, That he was truly sensible of his Error, for which he was very sorry; and humbly asked the Pardon of this House, for the same.

Ordered, That *John Diskins*, *Anthony Seale*, *Thomas Strippling*, and *Thomas Harrison*, be sent for, in Custody of the Serjeant at Arms, to answer respectively, for their Misdemeanors.

A Petition of *Francis Willis*, Gentleman, Proprietor of the Public Warehouses at *Cabbin Point*, in *Surry* County, was presented to the House, and received; praying, an additional Rent to reimburse him the Charges he has been at, in building Two Sheds to the Houses there; One 22 Feet long, and 12 Feet wide; the other 22 Feet long, and 8 Feet wide.

Ordered, That the said Petition be referred to the Consideration of the Committee of Public Claims: And that they do examine into the Matter thereof; and report the same, with their Opinion thereupon, to the House.

A Petition of *Nicholas Johnson*, was presented to the House, and read; setting forth, That *Richard Johnson*, of the County of *King* and *Queen*, being seised of a certain Tract or Dividend of Land, in *Pamunky Neck*, upon *Pamunky River* Side, did, by his Last Will and Testament, in Writing, bearing Date the Eighth of *April*, 1698, devise the same to *Thomas Johnson*, and his Heirs, for ever; and also gave and devised to *Richard Johnson*, and *William Johnson*, other Plantations and Tracts of Land, to them, and their Heirs, for ever: And afterwards, in the same Will declares, That if it shall please God, that either of the before-mentioned *Richard*, *Thomas*, or *William*, should die, before they come to the Age of Twenty One Years, or without Heirs of their Bodies begotten; then it was his Will, That all the Estate real, he had given him, should be equally divided betwixt his Two surviving Sons; and by his said Will, made several other Limitations over, of his said Lands, and died thereof seised: After whose death, the said *Thomas Johnson* entred into the Lands so devised to him, and died Intestate, leaving the Petitioner, his eldest Son and Heir, who apprehending he had a Fee Simple in the said Lands, so as aforesaid devised to his Father, by Indentures of Lease and Release, Dated the Twenty First and Twenty Second of *April* last, for the Consideration of Six Hundred Pounds, conveyed the same to *Richard Chapman*, Gentleman; since which, he has found out that the same are entailed: That being desirous to confirm the said Lands to the said *Richard Chapman*, and being seised, in Fee Simple, of 600 Acres of Land, lying in the County of *Hanover*, he is willing to settle the same, together with 12 Slaves, to the same Uses as the said entailed Lands are settled, by the Will of the said *Nicholas Johnson*: And praying, that Leave be given to bring in a Bill for that Purpose.

Ordered, That *Mr Clayborn* prepare and bring in a Bill, pursuant to the Prayer of the said Petition.

Mr Attorney reported, That the Committee, to whom the Bill, for Amending the Act, intituled, *An Act, for preventing Frauds in the Customs, and in Clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent casting of Ballast or dead Bodies into Rivers and Creeks*, was committed, had made several Amendments thereto: Which he read in his Place; and afterwards delivered the said Bill, with the Amendments, in at the Table; where the Amendments were again twice read: And the Question being severally put thereupon, were agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

Mr Fitzhugh reported, That the Committee of Propositions and Grievances, had had under their Consideration, several other Propositions from several Counties, to them referred: And had come to several Resolutions thereupon; which he read in his Place, and afterwards delivered in at the Table: Where the same were again twice read, and agreed to, by the House, as follows:

Resolved, That the Propositions of *Hanover*, and *New Kent*, for adding the lower Part of the County of *Hanover*, to the County of *New-Kent*, be Rejected.

Resolved, That the Proposition from the County of *Hanover*, for dividing the County into Two distinct Counties, is reasonable.

Resolved, That the Proposition from the County of *Hanover*, for adding Part of the County of *Goochland*, to the new County to be erected at the upper End of *Hanover* County, be Rejected.

Ordered, That the Committee of Propositions and Grievances, do prepare and bring in a Bill, pursuant to the Resolution, for dividing the County of *Hanover*, into Two distinct Counties.

Mr Fitzhugh reported, That the Committee appointed, had, according to Order, prepared a Bill, to oblige the Justices of *Surry* County, to repair and maintain a Bridge over *Nottoway River*; and to provide for the Support thereof: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, intituled, *An Act, for continuing and amending the Act, intituled, An Act, for making more effectual Provision against Invasions and Insurrections*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr Conway do carry the said Bill up to the Council, for their Concurrence.

Ordered, That the House be adjourn'd 'til To-morrow Morning, Ten of the Clock.

Wednesday, June 4, 1740.

A Motion being made, *Ordered*, That it be an Instruction to the Committee, to whom it is referred, to prepare and bring in a Bill, for dividing the County of *Hanover*; to erect the new County into one distinct Parish.

Mr Martin reported, That the Committee appointed, had, according to Order, prepared a Bill, for laying an additional Duty upon Slaves, to be paid by the Buyer: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr Corbin reported, That he had, according to Order, prepared a Bill, to vest certain entailed Lands, Parcel of a greater Tract therein mentioned, in *George Braxton*, the younger, in Fee Simple; and for settling other Lands, of greater Value, to the same Uses: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr Fitzhugh reported, That the Committee appointed, had, according to Order, prepared a Bill, for dividing the County of *King* and *Queen*; and adding the upper Part thereof, to the County of *Caroline*: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr Fitzhugh also reported, That the Committee of Propositions and Grievances, had, according to Order, prepared a Bill, for dividing the County of *Hanover*, and Parish of *Saint Martin*; and erecting the upper Part thereof, into one distinct County and Parish: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr Fitzhugh also reported, That the Committee, to whom the Bill, for the better Security of the Country in the present Time of Danger, was committed, had made several Amendments to the Bill: which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table: Where the Amendments were twice read, and agreed to, with an Amendment.

Ordered, That the said Bill, with the Amendments, be ingrossed.

A Bill, intituled, *An Act, for amending the Act, intituled, An Act, for preventing Frauds in His Majesty's Customs, and in Clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent casting of Ballast or dead Bodies into Rivers and Creeks*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr Martin do carry the said Bill to the Council, for their Concurrence.

A Bill, intituled, *An Act, for docking the Entail of certain Lands, in the County of Charles City, and vesting the same in Philip Lightfoot, Esquire, in Fee Simple*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr Attorney do carry the said Bill to the Council, for their Concurrence.

Mr Clayborn, according to Order, presented to the House, a Bill, for docking the Entail of certain Lands, in the County of *King William*, and vesting the same in *Richard Chapman*, Gentleman, in Fee Simple; and for settling other Lands and Slaves, of greater Value, to the same Uses, which was read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for destroying Crows and Squirrels on the *Eastern Shore*, was read the second Time, and a Blank filled up at the Table.

Ordered, That the said Bill be ingrossed.

A Bill, to oblige the Justices of *Surry County*, to repair and maintain a Bridge over *Nottoway River*; and to permit a Bridge to be built, by Subscription, over *Pamunky River*, and to provide for the Support thereof, was read the second Time; and Two Amendments made to the Bill at the Table, and the Blanks filled up.

Ordered, That the said Bill be ingrossed.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Thursday, June 5, 1740.

MR. *Fitzhugh* reported, That the Committee of Propositions and Grievances had, according to Order, prepared a Bill, to oblige the Owners of Convict Women Servants, having Bastards, to give Security to indemnify the Parish from any Charge which may accrue thereby: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for erecting a Town at *Bray's Church*, in the County of *King George*; and for establishing a Town in the County of *Princess-Anne*; and confirming the Titles to Lands purchased therein, was read the second Time.

Ordered, That the Bill be committed to a Committee; and it is accordingly committed to Mr *Attorney*, Mr *McCarty*, Mr *Willis*, and the Members of *King George County*.

Ordered, That Mr *Corbin*, Mr *Walke*, and Mr *Isham Randolph*, be added to the Committee of Privileges and Elections.

Upon a Motion made, Leave was given to present a Bill, to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries: And the same was read the first Time. J

Ordered, That the said Bill be read a second Time.

A Bill, to vest certain entailed Lands, Parcel of a greater Tract therein mentioned, in *George Braxton*, the younger, in Fee Simple; and for settling other Lands, of greater Value, to the same Uses, was read the second Time.

Ordered, That the Bill be committed to a Committee: And that they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House: And it is accordingly committed to Mr *Corbin*, and the Members of *King William County*.

Mr *Randolph* reported, That the Committee, to whom the Bill, for settling certain Lands, Tenements, and Hereditaments, late the Estate of *William Robertson*, Esquire, deceased, pursuant to an Agreement made, upon the Marriage of *John Lidderdale*, with *Elizabeth*, his now Wife, Daughter and Heir of the said *William Robertson*, was committed, had examined the Allegations of the Bill, and found them to be true: And he delivered the Bill in at the Table.

Ordered, That the said Bill be ingrossed.

A Bill, for docking the Entail of certain Lands, in the County of *King William*, and vesting the same in *Richard Chapman*, Gentleman, in Fee Simple; and for settling other Lands and Slaves, of greater Value, to the same Uses, was read the second Time.

Ordered, That the Bill be committed to Mr *Attorney*, Mr *Martin*, Mr *Corbin*, and the Members of *Hanover*, and *King William Counties*: And that they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House.

Mr

Mr *Fitzhugh* reported, That the Committee of Propositions and Grievances had, according to Order, prepared a Bill, for dissolving the present Vestries in this Colony; for electing new Vestries, and other Purposes therein mentioned: And the same was read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for laying an additional Duty upon Slaves, to be paid by the Buyer, was read the second Time.

Ordered, That the Bill be committed to a Committee; and it is accordingly committed to Mr *Attorney*, Mr *Randolph*, Mr *Martin*, and Mr *Willis*.

A Bill, intituled, *An Act, for the better Security of the Country in Time of Danger*, was read the third Time: And after a Debate, the Question being put, that the Bill do pass, It passed in the Affirmative.

Resolved, That the Bill do pass.

Ordered, That Mr *Fitzhugh* carry the Bill to the Council, for their Concurrence.

A Message was brought from the Council, That they had passed the Bill, intituled, *An Act, for continuing and amending the Act, intituled, An Act, for making more effectual Provision against Invasions and Insurrections*.

And also the Bill, intituled, *An Act, for docking the Entail of certain Lands, in the County of Charles City, and vesting the same in Philip Lightfoot, Esquire, in Fee Simple*, without any Amendment.

And that they have made some Amendments to the Bill, intituled, *An Act, for enforcing the Execution of the Laws made for the better managing and securing Orphans Estates*.

And also to the Bill, intituled, *An Act, for prolonging the Time for bringing Tobacco to the Public Warehouses; and for the Sale of Transfer Tobacco; and to allow the Inhabitants of Hanover County, above the little Mountains, to pay their Public Dues, and Officers Fees, with the Notes of Fredericksburg Warehouse: To which, they desire the Concurrence of this House*.

The House took into their Consideration the Amendments made by the Council to the said last mentioned Bill; and the Amendments were severally read, and agreed to, by the House.

Ordered, That Mr *Fitzhugh* do carry the Bill to the Council; and acquaint them, that this House have agreed to the Amendments, by them made, to the said Bill.

A Bill, intituled, *An Act, for destroying Crows and Squirrels on the Eastern Shore*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Scarburgh* do carry the Bill to the Council, for their Concurrence.

Mr *Conway* moved for Leave to present a Petition of *Peter Richeson*, of the County of *King William*; setting forth, That 7 Negro Slaves, who ran away from the said *Richeson*, were shortly afterwards found dead in *Mattapony* River: And praying, the Consideration of this House in the Premises; and the Question being put, that the said Petition be Received, It passed in the Negative.

Resolved, That this House will receive no Petition after *Saturday* next.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Friday, June 6, 1740.

A Petition of *Gerrard Roberts*, was presented to the House, and received; praying, an additional Rent for the Warehouses at *Rowe's*, of which he is Proprietor, to reimburse him the Charge of building a Warehouse 30 Feet long, and 20 Feet wide, together with Two Ten Feet Sheds there.

Also a Petition of *Henry Willis*; praying, an additional Rent for the Warehouses at *Fredericksburg*, to reimburse him the Charge of building Two Warehouses there; one

one of the Dimensions of 50 Feet long, and 20 Feet wide; and the other 54 Feet long, and 20 Feet wide.

Also, a Petition of *Margaret Griffin*, Proprietor of the Public Warehouses at *Hobbs's Hole*, in *Effex* County; setting forth, That a Wharf 110 Feet long hath been lately built there; for which the Court of the said County have ordered the Inspectors to pay the Builder Ten Pounds, out of the Rents of the said Warehouses; and have also ordered one other Warehouse 40 Feet long, and 20 Feet wide, to be built there: And praying, that she may be paid the said Ten Pounds; and that the Rent of the said Warehouse to be built, may be settled.

Ordered, That the said several Petitions be referred to the Committee of Public Claims: And that they examine the Matter of the said Petitions; and report the same, with their Opinion thereupon, to the House.

A Petition of sundry Persons, whose Names are thereunto subscribed, living below the great Mountains, in *Orange* County, was presented to the House, and read: And the Question being put, that the same be referred to a Committee, It passed in the Negative.

Resolved, That the said Petition be rejected.

A Claim of *Bennet Tuck*, for taking up a Runaway Slave therein mentioned, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said Claim in the Book of Claims.

A Complaint being made by *Mr Harrison*, a Member of this House, of a Breach of Privilege committed against him, by *John Parker*, in assaulting his Servant, and uttering several rude and abusive Expressions against him.

Ordered, That the said Complaint be referred to the Committee of Privileges and Elections: And that they do report the Matter thereof, as it shall appear to them, with their Opinion thereupon, to the House.

Ordered, That the said *John Parker* be immediately taken into Custody of the Serjeant at Arms.

The House proceeded to the Consideration of the Amendments made by the Council, to the Bill, intituled, *An Act, for enforcing the Execution of the Laws made, for the better managing and securing Orphans Estates*: And the same being severally read, were disagreed to, by the House.

Ordered, That *Mr Attorney* do carry the Bill to the Council; and acquaint them, that this House cannot agree to the Amendments by them proposed to the said Bill.

A Bill, to oblige the Owners of Convict Women Servants, having Bastards, to give Security to indemnify the Parish from any Charge, which may accrue thereby, was read the second Time.

Ordered, That the said Bill be ingrossed.

Mr Fitzhugh reported, That the Committee of Propositions and Grievances, had had under their Consideration, divers other Propositions from several Counties, to them referred: And had come to several Resolutions thereupon; which he read in his Place, and afterwards delivered in at the Table: Where the same were again read, and Part agreed to, by the House, as follows:

Resolved, That the Proposition from the County of *Prince William*, for altering *Orange* Court Day, be Rejected.

Resolved, That the Proposition from the County of *Spotsylvania*, for altering the Days appointed for holding Fairs at *Fredericksburg*, is reasonable.

Resolved, That the Proposition from the County of *Prince William*, for appointing a Ferry, from the Land of *Hugh West*, where the Warehouses, on *Hunting Creek* are, over *Patowmack* River, to *Frazier's Point*, in *Maryland*, is reasonable.

Resolved, That the Proposition from the County of *Prince William*, for erecting a Town, at the Head of *Quantico*, in that County, be referred to the Consideration of the next Session of Assembly.

And

And to the Resolution of the Committee, That the Proposition from the County of *Spotsylvania*, for discontinuing *Williams's Ferry*: And another Proposition from the said County, for continuing the said Ferry, be referred to the Consideration of the next Session of Assembly.

The House disagreed.

Resolved, That the said Propositions, be Rejected.

Ordered, That it be an Instruction to the Committee appointed, to prepare and bring in a Bill, for appointing a Ferry, from *John Hereford's Plantation*, in *Doeg's Neck*, over *Patowmack River*, to the lower Side of *Pamunky*, in *Prince George County*, in *Maryland*, That they receive a Clause or Clauses, pursuant to the Resolution, for altering the Days appointed for holding Fairs at *Fredericksburg*.

Also a Clause or Clauses, pursuant to the Resolution, for appointing a Ferry, from the Land of *Hugh West*, where the Warehouses, on *Hunting Creek*, are erected, over *Patowmack River*, to *Frazier's Point*, in *Maryland*.

A Bill, to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries, was read the second Time.

Ordered, That the Bill be committed to a Committee; and it is committed to Mr *Fitzhugh*, Mr *Randolph*, Mr *Attorney*, Mr *Harrison*, Mr *Beverley*, and Mr *Simmonds*.

A Bill, for dissolving the present Vestries in this Colony; and for electing new Vestries, and other Purposes therein mentioned, was read the second Time.

Ordered, That the said Bill be committed to Mr *Attorney*, Mr *Fitzhugh*, and Mr *Conway*.

Ordered, That Mr *William Kennon* have Leave to be absent from the Service of this House, 'til Tuesday next.

A Petition of *William Gray*, and *Elizabeth*, his Wife, Relict and Executrix of *William Chamberlayne*, deceased, was presented to the House, and read; setting forth, That the said *William Chamberlayne*, by his Last Will, devised to the Petitioner *Elizabeth*, several Negro Slaves, during her Life; and after her Death, the said Slaves to go to one of his Children, whom she should think fit. That after the said *William Chamberlayne's* Death, the said *Elizabeth* was delivered of a Female Child, for which her said Father had made no Provision: That the said Petitioner *Elizabeth*, by Deed, recorded in the County Court of *New Kent*, has given the Reversion of the said Slaves to the said Female Child; but being doubtful, whether she could make such Gift, prays, That Leave may be given to bring in a Bill, for confirming the said Slaves to the said Female Child.

Ordered, That Mr *Carter* do prepare and bring in a Bill, according to the Prayer of the said Petition.

A Bill, intituled, *An Act for settling certain Lands, Tenements, and Hereditaments, late the Estate of William Robertson, Esquire, pursuant to an Agreement made, upon the Marriage of John Lidderdale, with Elizabeth, his now Wife, Daughter and Heir of the said William Robertson*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr *Randolph* do carry the said Bill to the Council, for their Concurrence.

A Bill, intituled, *An Act, to oblige the Justices of Surry County, to repair and maintain a Bridge over Nottoway River: And to permit a Bridge to be built, by Subscription, over Pamunky River; and to provide for the Support thereof*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr *Allen* do carry the said Bill to the Council, for their Concurrence.

A Petition of *Elizabeth Monday*, of *Effex County*, Widow, was presented to the House, and read; praying, to be allowed for a Negro Man Slave, named *Sharper*, who having ran away, and been outlawed by *John Monday*, her late Husband; upon Advice thereof, and to prevent his being taken, hanged himself.

Ordered,

Ordered, That the said Petition be referred to the Committee of Public Claims: And that they do examine into the Allegations thereof; and report the same, as they shall appear to them, with their Opinion thereupon, to the House.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Saturday, June 7, 1740.

A Petition of *Martha Todd*, Proprietor of the Public Warehouses at *Falmouth*, was presented to the House, and read; praying, an additional Rent to be allowed her, for building a Warehouse 60 Feet long, and 24 Feet Wide, there.

Also, a Petition of the Justices of *King* and *Queen* County; praying, an additional Rent, to reimburse them the Charge of building Three new Warehouses at *Mantapike*, and Three new Warehouses at *Todd's*.

Also, a Petition of the Justices of *Spotsylvania* County; praying, to be reimbursed 13,520 lbs. of Nett Tobacco, by them paid, for building of Two Warehouses 50 Feet long, and 20 Feet wide each, at *Fredericksburg* Warehouse.

Ordered, That the said Petitions be referred to the Committee of Public Claims: And that they do examine the Matter of the said Petitions; and report the same, with their Opinion thereupon, to the House.

A Claim of *John Jones*, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said Claim in the Book of Claims.

Mr Conway reported, That the Committee of Privileges and Elections, had had under their Consideration, the Matter of Complaint against *John Parker*, to them referred: And that it appear'd to the Committee, that Yesterday Morning, the said *Parker*, in a rude and insolent Manner, assaulted a Servant Man belonging to *Mr Harrison*, a Member of this House, carrying Provisions to his Master's House, endeavoured to take the Provisions from him, and spoke disrespectfully of the said *Mr Harrison*: And that they had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table: Where the same being again twice read, was agreed to, by the House, as follows:

Resolved, That the said *John Parker* is guilty of a Breach of the Privileges of this House.

Ordered, That the said *John Parker* be brought to the Bar; and that he do there, upon his Knees, acknowledge his Offence, and ask the Pardon of this House, and *Mr Harrison*, for his said Breach of Privilege.

Then the said *John Parker* was brought to the Bar; and being by the Speaker informed of the Resolution of the House, he did, upon his Knees, acknowledge his Offence, and ask Pardon of the House, and *Mr Harrison*, for the same.

A Message was brought from the Council,

That they recede from the Amendments, by them made, to the Bill, intituled, *An Act, for enforcing the Execution of the Laws made, for the better managing and securing Orphans Estates*.

And that they have passed the Bill, intituled, *An Act, for the better Security of the Country in the present Time of Danger*, without any Amendment.

And that they have made some Amendments to the Bill, intituled, *An Act, for amending the Act, intituled, An Act, for preventing Frauds in his Majesty's Customs, and in Clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent casting of Ballast or dead Bodies into Rivers and Creeks*, as to so much thereof, as relates to the casting of Ballast into Rivers and Creeks: To which they desired the Concurrence of this House.

Mr

Mr *Fitzhugh* reported, That the Committee appointed, had, according to Order, prepared a Bill, for altering the Method of acknowledging, or proving, and recording certain Deeds therein mentioned: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Ordered,

That the House be adjourned 'til *Monday Morning*, Ten o'clock.

Monday, June 9, 1740.

A Bill, for dividing the County of *Hanover*, and Parish of Saint *Martin*; and erecting the Upper Part thereof, into a distinct County and Parish, was read the second Time; and the Blanks of the Bill filled up at the Table.

Ordered, That the said Bill be ingrossed.

A Bill, for altering the Method of acknowledging, or proving, and recording certain Deeds therein mentioned, was read a second Time.

Ordered, That the said Bill be committed; and it is committed to Mr *Fitzhugh*, Mr *Conway*, Mr *Richard Randolph*, and Mr *Harrison*.

A Bill, for dividing the County of *King* and *Queen*, and adding the Upper Part thereof, to the County of *Caroline*, was read the second Time: And the Question being put, that the said Bill be ingrossed, It passed in the Negative.

Ordered, That the said Bill be Rejected.

Upon a Motion made,

Ordered, That Mr *Braxton* have Leave to withdraw his Petition, to vest certain entailed Lands, Parcel of a greater Tract therein mentioned, in him the said *Braxton*, in Fee Simple; and for settling other Lands, of greater Value, to the same Uses: And that the Committee appointed to examine into the Allegations of the Bill, for the afore said Purposes, be discharged from proceeding any further therein.

Mr *Attorney* reported, That the Committee, to whom the Bill, for laying an additional Duty upon Slaves, to be paid by the Buyer, was committed, had made several Amendments to the said Bill: Which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table.

Ordered, That the said Bill, with the Amendments, do lie upon the Table.

Mr *Attorney* reported, That the Committee, to whom the Bill, for dissolving the present Vestries in this Colony; and for electing new Vestries, and other Purposes therein mentioned, was committed, had made several Amendments to the Bill: Which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table; where the same were again twice read: And the Question being severally put thereupon, were, with some Amendments, agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

Mr *Attorney* also reported, That the Committee, to whom the Bill, for docking the Entail of certain Lands, in the County of *King William*, and vesting the same in *Richard Chapman*, Gent. in Fee Simple; and for settling other Lands and Slaves, of greater Value, to the same Uses, was committed, had examined into the Allegations thereof; and found them to be true: And that they had made an Amendment to the Bill; which he read in his Place; and afterwards delivered the Bill, with the Amendment, in at the Table: Where the same was again twice read, and agreed to, by the House.

Ordered, That the said Bill, with the Amendment, be ingrossed.

Mr *Fitzhugh* reported, That the Committee of Propositions and Grievances, had, according to Order, prepared a Bill, for appointing several new Ferries; and altering the Days for holding Fairs in the Town of *Fredericksburg*: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

M^r *Fitzhugh* reported, That the Committee, to whom the Bill, to prevent the Recovery of Money, or other valuable Things won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries, was committed, had made several Amendments to the Bill: Which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the said Bill, with the Amendments, do lie on the Table.

Ordered,

That the House be adjourn'd 'til To-morrow Morning, Ten o'Clock.

Tuesday, June 10, 1740.

A Bill, intituled, *An Act for docking the Entail of certain Lands, in the County of King William; and vesting the same in Richard Chapman, Gentleman, in Fee Simple; and for settling other Lands and Slaves, of greater Value, to the same Uses*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That M^r *Claiborne* do carry the Bill to the Council, for their Concurrence.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration; and also subscribed the Test, was admitted to his Place in the House.

Ordered, That M^r *Henry Willis* be added to the Committee of Propositions and Grievances; and also to the Committee of Privileges and Elections.

A Bill, intituled, *An Act, for dissolving the present Vestries in this Colony; for electing new Vestries; and other Purposes therein mentioned*, was read the third Time: And Two Amendments made to the Bill at the Table.

Resolved, That the said Bill do pass.

Ordered, That M^r *Fitzhugh* carry the said Bill to the Council, for their Concurrence.

The House proceeded to the Consideration of the Amendments to the Bill, to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries: And the Amendments were twice read; and the Question being severally put thereupon, were agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

M^r *Fitzhugh* reported, That the Committee of Propositions and Grievances, had had under their Consideration, the Petition of the Vestry of the Parish of *Bristol*, in the County of *Prince George*, to them referred; praying, That the Parishes of *Rawleigh* and *Dale*, may be compelled to satisfy the Parish for a Glebe, a Church, and Two Chapels of Ease, which were taken away from the Parish, at the Time of dividing it, and erecting the other Two Parishes: And that they had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table; Where the same was again read, and agreed to, by the House, as follows:

Resolved, That the said Petition be Rejected.

M^r *Speaker* presented to the House a Memorial of M^r *Benjamin Needler*; setting forth, That, pursuant to an Order of the House, last Session, he had diligently searched the Clerk's Office, and collected all the Journals that were to be found there, and revised the same; and that he had made some Progress in transcribing them.

Ordered, That the said Memorial do lie on the Table.

A Bill, for appointing several new Ferries; and altering the Days for holding Fairs in the Town of *Fredericksburg*, was read the second Time.

Ordered, That the Bill be committed to M^r *Walke*, M^r *Elligood*, M^r *Westwood*, and M^r *Sweeney*.

A Bill, intituled, *An Act, to oblige the Owners of Convict Women Servants, having Bastards, to give Security to indemnify the Parish from any Charge which may accrue thereby*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr *Conway* do carry the said Bill to the Council, for their Concurrence.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Wednesday, June 11, 1740.

TWO Claims of *William Byrd, Esq*; for taking up Three Runaway Slaves therein mentioned, were presented to the House, and received.

Also a Claim of *Daniel Dickins*, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said several Claims, in the Book of Claims.

Mr *Attorney* mov'd for Leave to present a Bill, for raising Levies and Recruits, to serve in the present War against the *Spaniards*, in *America*: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr *Beverley*, from the Committee of Public Claims, reported, That they had had under their Consideration, several Petitions to them referred: And had come to several Resolutions thereupon; which he read in his Place, and afterwards delivered in at the Table: Where the same were again twice read, and Part thereof agreed to, by the House, as follows:

Resolved, That an additional Rent of Five Pounds a Year, to begin the Tenth of *November*, 1738, be allowed *Anthony Walke*, Gentleman, Proprietor of the Public Warehouses at *Kemp's Landing*, in *Princess-Anne* County, for providing another Warehouse, the Houses before built at that Place, not being sufficient.

Resolved, That the Petition of the Justices of the County Court of *Westmoreland*, for being repaid the Sum of Nineteen Pounds Ten Shillings and Two Pence, by them paid, for the Hire of Houses at *Nominy*, and *Maddox*, the Houses there not being sufficient, is reasonable.

Resolved, That the additional Rent of Fifteen Shillings a Year, from the Tenth of *November* last, be allowed the Justices of the County of *Elizabeth City*, for building a new Shed to the Public Warehouse at *Hampton*.

Resolved, That the Justices of the County of *Effex*, do repay to *Tabitha Adams*, Widow, in Behalf of herself; and the Orphans of *Ebenezer Adams*, deceased, the Sum of Three Pounds, which was stopped by the Inspectors, out of the Rent of the Warehouse at *Bowler's*, to pay for the building a House for their Entertainment.

Resolved, That an additional Rent of Four Pounds a Year, from the Twelfth Day of *November* last, be allowed *Bridget Peirce*, Proprietor of the Public Warehouse at *Pungoteague*, for building a new Warehouse, with a Shed, and a Plank Floor.

Resolved, That an additional Rent of Six Pounds Ten Shillings a Year, from the Tenth Day of *November* last, be allowed the Justices of *Prince William* County, for building a Warehouse, with a Shed on each Side thereof, at *Quantico*.

Resolved, That an additional Rent of Fifteen Shillings a Year, from the Tenth Day of *November*, 1737, be allowed the Justices of *Northampton*, for building a Shed to *Nasswaddox* Warehouse; and also, an additional Rent of Forty Shillings a Year, for a House, with a Plank Floor, at *Hungar's*.

Resolved, That an additional Rent of Forty Shillings a Year, from the Tenth Day of *November* last, be allowed *William Basset*, for what Buildings are at the *Brick-house*, more than were at *Taskanask*.

Resolved,

Resolved, That an additional Rent of Seven Pounds a Year, from the Tenth Day of *November*, 1737; and of Six Pounds a Year, from the Tenth Day of *November*, 1738, be allowed the Justices of *Effex* County, for building Two new Warehouses at *Layton's*; and of Five Pounds a Year, from the Eighteenth Day of *November*, 1739, for building a new Warehouse at *Bowler's*, in that County.

Resolved, That the Petition of *John Carter*, Keeper of the Publick Goal, to be allowed for fencing or paling in the Garden at that Place, be Rejected.

Resolved, That an additional Rent of Twenty Shillings a Year, from the Tenth Day of *November* laſt, be allowed *Francis Willis*, Gent. Proprietor of the Publick Warehouses at *Cabbin-Point*, in that County, for building Two Sheds to the Warehouses at that Place.

Resolved, That the Justices of *Effex* County repay unto *Margaret Griffin*, Proprietor of the Publick Warehouses at *Hobbs's-Hole*, Five Pounds, for the Money they ſtopped out of the Rent of the ſaid Houſes, for building a Wharf at that Place.

Resolved, That the Petition of *Margaret Griffin*, to be allowed an additional Rent for another Warehouse at *Hobbs's-Hole*, which the Justices of *Effex* have ordered to be built, and is not yet begun, be Rejected.

Resolved, That the Petition of *Gerard Roberts*, Proprietor of the Public Warehouses at *Rowe's*, to be allowed an additional Rent, for building a Warehouse, with Two Sheds, at that Place, be Rejected.

Resolved, That the Sum of Twenty Five Pounds be allowed *Elizabeth Monday*, for a Slave, who hanged himſelf after he was Out-lawed.

Resolved, That an Additional Rent of 14 l. 10 s. a Year, from the 10th Day of *November*, 1739, be allowed *Henry Willis*, Proprietor of the Public Warehouses at *Fredericksburg*, for building Two new Warehouses there.

Resolved, That an additional Rent of 12 l. a Year, from the 10th Day of *November*, 1738, be allowed the Justices of *Spotsylvania* County, for building a new Warehouse at *Fredericksburg*.

Resolved, That an additional Rent of 10 l. 10 s. a Year, from the 10th Day of *November*, 1738, be allowed to the Justices of *New-Kent*, for building a Warehouse at *Littlepage's*; and Five Pounds, in full, for the Warehouse built by the Justices of the ſaid County at *Taskanask*.

Resolved, That an additional Rent of 4 l. a Year, from the 10th Day of *November*, 1737; of 4 l. a Year, from the 10th Day of *November*, 1738; and of Twenty Five Shillings, from the Tenth Day of *November*, 1739, be allowed the Justices of *King and Queen* County, for building Two new Warehouses, and a Shed, at *Mantapike*; and of Five Pounds Sixteen Shillings a Year, from the Tenth Day of *November*, 1738, of Two Pounds Ten Shillings a Year, from the Tenth Day of *November*, 1739; and of Four Pounds a Year, from the Tenth Day of *November*, 1737, for building Two new Warehouses, with a Plank Floor, and a Shed, at *Todd's*, in that County.

Ordered, That it be an Inſtruction to the Committee of Publick Claims, to make the ſaid Allowances in the Book of Claims, according to the ſaid Report.

And to the Reſolution of the ſaid Committee, That an additional Rent of Seven Pounds a Year, from the Tenth Day of *November*, 1739, be allowed *Martha Todd*, Proprietor of the Publick Warehouses at *Falmouth*, for a new Warehouse built at that Place.

The Houſe diſagreed.

Resolved, That the Petition of *Martha Todd*, Proprietor of the Publick Warehouses at *Falmouth*; praying, an additional Rent for a new Warehouse built there, be Rejected.

Mr *Henry Willis* moved for Leave to preſent a Bill, for dividing the Pariſh of *St. Mark*, in the County of *Orange*, and erecting the ſame into Two diſtinct Pariſhes. And the ſame was received, and read the Firſt Time.

Ordered, That the ſaid Bill be read a ſecond Time.

Mr *Conway* reported, That the Committee of Privileges and Elections had had under their Conſideration the Petition of Mr *Samuel Buckner*, to them referred, complaining
of

of an undue Election and Return of Mr *Beverley Whiting*, to serve as a Burgefs in this prefent General Affembly, for the County of *Gloucefter*; and had heard as well the Petitioner, as the fitting Member, by their Council, and examined divers Witneffes on both Sides, upon the Matter of Complaint: Whereupon it appear'd to the Committee, That a greater Number of Freeholders did vote at the Election for Mr *Whiting*, the fitting Member, than for Mr *Buckner*. And that it alfo appeared, that a Deed, fuppofed to be made the 21ft day of *May*, 1740, between *Henry Whiting*, Gent. of the one Part, and the faid *Beverley Whiting*, of the other Part, for the Conveyance of Thirty Four Acres of Land, with the Appurtenances, in the faid County of *Gloucefter*, was brought into the Court of the faid County the Day following, and laid upon the Clerk's Table, with a Seal, and the Name of *Henry Whiting* to it; but it did not appear that the fame was ever executed, or that Livery of Seizin was ever delivered of the Lands therein mentioned, but that the Clerk of the faid Court had certified, on the faid Deed, that at a Court held for the faid County of *Gloucefter*, on *Thurſday* the 22d Day of *May*, 1740, the faid Deed was, in open Court, acknowledged by the faid *Henry Whiting*, to be his A&t and Deed; and was, by the Court, admitted to Record: Yet, that all the Juſtices prefent at the Reading the faid Court's Orders, declared, that they did not hear any Entry of fuch Acknowledgement read; nor did they know that any fuch Entry was made, although Two of the faid Juſtices declared, that they were on the Bench, and continued there during the whole Time of Reading of the faid Orders, on Purpoſe to know whether any fuch Entry was made; and that they liſtened attentively for it. That the fame Court Day, which was the Day of iffuing the Writ of Election, one *John Ellis* did follicit one *William Keys* to vote for Mr *Whiting*, the fitting Member, and *Keys* promifed to vote for him: And thereupon *Ellis* carried the faid *Keys* to the faid *Beverley Whiting*, and told him there was a Man would vote for him, which the faid *Keys* then promifed Mr *Whiting* to do: And upon that, Mr *Whiting* gave *Ellis* an *Engliſh* Shilling; and bid him go and buy a Bowl of Punch, and drink his Health. That the fame Day at Night, one of the Servants belonging to the Ordinary-keeper at the Court Houſe, brought his Maſter a Guinea, and faid he had it of Mr *Whiting* for Liquor; but it did not appear to the Committee to what Uſe the Liquor had been applied. That the fame Night, Mr *Whiting*, the fitting Member, was in Company with Six or Seven Perfons more, at the faid Ordinary, and Wagers being offer'd on the Election, Mr *Whiting* faid, that ſeveral of Mr *Buckner's* Friends, who had promifed him their Votes, would not come to the Election; and if their Fines were under One Hundred Pounds, he would pay them: And that Mr *Whiting* then alfo faid, the Election would coſt him Forty or Fifty Pounds. That the Day after the Teſte of the Writ, at a Private Muſter in that County, under Capt. *Thomas Hayes*, one Capt. *Robert Bernard* came into the Muſter Field, and follicated the Freeholders to vote for Mr *Whiting*: And that the next Day, at a Muſter of his own Company, the faid *Bernard* brought 40 Gallons of Cyder, and 20 Gallons of Punch into the Field, and treated his Men, folliciting them to vote for Mr *Whiting*, as they came into the Field; and promifed one *James Conqueſt*, to give him Liquor, if he would vote for Mr *Whiting*, which *Conqueſt* refuſed; and then *Bernard* faid he ſhould be welcome to drink, tho' he would not vote for him: That the faid *Bernard* promifed one *Gale*, a Freeholder, to pay his Fine, if he would ſtay from the Election; which *Gale* accordingly did: That the Day of Election, the faid *Bernard* treated ſeveral Freeholders, who faid they would vote for Mr *Whiting*, at one *Sewell's* Ordinary: And that, at the Election, one of the Freeholders faid, he was going to vote for Mr *Whiting*, becauſe he had promifed Capt. *Bernard* ſo to do; but that he had rather give Half a Piſtole than to do it: And other Freeholders, who were indebted to Col. *Whiting*, faid, that Capt. *Bernard* told them, that Col. *Whiting* would be angry with them, if they voted againſt Mr *Whiting*; which the faid *Bernard* denied, upon his Oath, before the Committee: But that it did not appear to the Committee, That any of *Bernard's* Tranſactions were done at the Intigation, or with the Privy of Mr *Whiting*. And that upon the whole Matter, the Committee had come

to several Resolutions; which he read in his Place, and afterwards delivered in at the Table: Where the same being twice read, and Mr *Whiting* ordered to withdraw, Part thereof was agreed to, by the House.

Resolved, That that Freedom which ought to be maintained in all Elections, hath been greatly invaded by *Robert Bernard*.

And to the Resolution of the Committee, that the said *Beverley Whiting* is duly qualified to serve as a Burgess in this present General Assembly, for the County of *Gloucester*:

And also to the Resolution, That the said *Beverley Whiting* is duly elected a Burgess to serve in this present General Assembly, for the County of *Gloucester*.

The House disagreed.

Resolved, That Mr *Beverley Whiting* is not duly qualified to serve as a Burgess in this present General Assembly.

Upon a Motion made,

Ordered, That *Robert Bernard* be taken into the Custody of the Serjeant at Arms, and brought immediately to the Bar of the House, to answer for his Misdemeanor and Breach of Privileges: And being brought to the Bar, Mr *Speaker* informed him of the Resolution of the House; and that the House expected he would make an Acknowledgement of his Offence, and Breach of Privilege, and ask the Pardon of this House for the same; which he accordingly did, and then withdrew.

Ordered, That *Robert Bernard* be discharged, paying Fees.

Ordered, That an Address be made to the Governor, to order a new Writ to issue for Electing a new Burgess to serve in this present General Assembly, for the County of *Gloucester*, in the Room of Mr *Beverley Whiting*, who is not duly qualified to serve for the said County.

A Bill, intituled, *An Act, for dividing the County of Hanover, and Parish of Saint Martin; and erecting the Upper Part thereof, into one distinct County, and Parish*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Meriwether* do carry the said Bill to the Council, for their Concurrence.

A Bill, intituled, *An Act, to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the effectual Restraint of Gaming at Ordinaries*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That Mr *Randolph* do carry the said Bill to the Council, for their Concurrence.

Mr *Carter* reported, from the Committee appointed to prepare and draw up a State of the Duty upon Slaves, that they had had under their Consideration, the Treasurer's Accounts, to them referred: And had agreed upon a Report; which he read in his Place, and afterwards delivered in at the Table.

Mr *Carter* also reported, That the Committee appointed to prepare and draw up a State of the Duty upon Slaves, had had under their Consideration, the Account of that Duty, to them referred: And had agreed upon a Report; which he read in his Place, and afterwards delivered in at the Table.

Ordered, That the said Report do lie on the Table.

The House proceeded to the Consideration of the Amendments to the Bill, for laying an additional Duty upon Slaves, to be paid by the Buyer: And the Amendments were twice read: And the Question being severally put thereupon, was agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Thursday,

Thursday, June 12, 1740.

A Claim of *John Young*, for taking up a Runaway Servant, therein mentioned, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said Claim in the Book of Claims.

Mr *Carter*, according to Order, presented a Bill, for vesting certain Slaves, late the Estate of *William Chamberlayne*, deceased, in Trustees, for the Uses therein mentioned: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

Mr *Walke* reported, from the Committee, to whom the Bill, for appointing several new Ferries; and altering the Days for holding Fairs in the Town of *Fredericksburg*, was committed, That they had made several Amendments to the Bill: Which he read in his Place; and afterwards delivered in at the Table.

Ordered, That the said Bill, with the Amendments, do lie upon the Table.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for amending the Act, intituled, An Act, for preventing Frauds in the Customs, and in Clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent casting of Ballast or dead Bodies into Rivers and Creeks*, as to so much thereof, as relates to the casting of Ballast into Rivers and Creeks: And the Amendments were read, and one of them twice read: And the Question being put thereupon, was agreed to, by the House. And,

Upon a Motion made,

Ordered, That the further Consideration of the said Amendments be referred 'til Saturday Se'nnight.

A Claim of the *Fredericksville* Company, to be allowed the Levies of Twenty Tithables employed in the Iron-Works, was presented to the House, and received.

Ordered, That it be an Instruction to the Committee of Claims, to allow the said Claim, in the Book of Claims.

A Representation of Mr *George Webb*, was presented to the House, and read; setting forth, That he had served as Clerk to the Committee, appointed to prepare and draw up a State of the Duty upon Slaves; and by Direction of that Committee, had been obliged to trace all Matters and Accounts, relating to that Duty, from the Commencement thereof; and to continue the same for a course of more than Five Years past; which could not have been done, without applying much Time and Labour, in the Intervals between every Assembly, to prepare a State of those Accounts, for the Examination of the said Committee: And praying, the Consideration of the House, for a suitable Allowance for his Trouble.

Whereupon, a Motion being made,

Ordered, That the said *George Webb* be allowed the Sum of Fifty Pounds, for extraordinary Services: And that it be an Instruction to the Committee of Claims, to make the said Allowance in the Book of Claims.

A Bill, for dividing the Parish of Saint *Mark*, in the County of *Orange*; and erecting the same into Two distinct Parishes, was read the second Time.

Ordered, That the said Bill be ingrossed.

A Member, returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration; and also subscribed the Test, was admitted to his Place in the House.

A Bill, for vesting certain Slaves, late the Estate of *William Chamberlayne*, deceased, in Trustees, for the Uses therein mentioned, was read the second Time.

Ordered, That the Bill be committed to Mr *Attorney*, and the Members of *New-Kent*: And that they do examine the Allegations thereof; and report the Matter, as it shall appear to them, with their Opinion thereupon, to the House.

Mr *Fitzhugh* reported, from the Committee, to whom the Bill for altering the Method of acknowledging, and recording certain Deeds therein mentioned, was committed: That they had made several Amendments to the said Bill; which he read in his Place, and afterwards delivered in at the Table.

Ordered, That the said Bill, with the Amendments, do lie on the Table.

Mr *Beverley*, from the Committee of Public Claims, reported, That the Committee had, according to Order, inspected the Report of the Committee of Public Claims last Session: And that they had read, considered, and regulated, the several Claims presented to this Assembly, by divers Persons; and had agreed upon a Report; which he had entred into a Book; and delivered the Book in at the Table.

A Bill, intituled, *An Act, for laying an additional Duty upon Slaves, to be paid by the Buyer*, was read the Third Time; and the several Blanks filled up, and an Amendment was made to the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr *Martin* do carry the Bill to the Council, for their Concurrence.

A Bill, for raising Levies and Recruits, to serve in the present War against the *Spaniards, in America*, was read the second Time; and the Blanks filled up; and an Amendment made to the Bill, at the Table.

Ordered, That the Bill, with the Amendment, be ingros'd.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Friday, June 13, 1740.

Ordered,

THAT a Committee for examining the Inrolled Bills, be appointed of the following Persons:

Mr *Beverley*,

Mr *Turner*,

Mr *William Aylett*,

Mr *McCarty*,

Mr *Buckner*, and

Mr *Price*.

A Bill, intituled, *An Act, for dividing the Parish of Saint Mark; and erecting the same into Two distinct Parishes*, was read the third Time, and the Blanks filled up.

Resolved, That the said Bill do pass.

Ordered, That Mr *Henry Willis* do carry the Bill to the Council, for their Concurrence.

A Message was brought from the Council, by Mr *Needler*:

That they had passed the Bill, *for docking the Entail of certain Lands, in the County of King William, and vesting the same in Richard Chapman, in Fee Simple; and for settling other Lands and Slaves, of greater Value to the same Uses.*

And also the Bill, *to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries*, without any Amendment.

And that they had made some Amendments to the Bill, intituled, *An Act, to oblige the Justices of Surry County, to repair and maintain a Bridge over Nottoway River: And to permit a Bridge to be built, by Subscription, over Pamunky River; and to provide for the Support thereof*: To which they desire the Concurrence of this House.

A Petition of *John Diskins, Anthony Seale, Thomas Strippling, and Thomas Harrison*, was presented to the House, and read; acknowledging their Offence, in refusing to receive and certify certain Propositions to them presented, at a Court held for certifying Propositions and Claims for the County of *Prince William*; but assuring the House, that it proceeded from an Error in their Judgment, and not from any View of gratifying private Repentment, or Consideration of their own Interest; and expressing their Sorrow and Concern for having fallen under the Displeasure of the House, whereby they should

not

not only suffer a lasting Disgrace, but had also been put to great Trouble and Expence in travelling 2 or 300 Miles: And praying, the House would take their Case into Consideration, and discharge them out of Custody.

Ordered, That the said *John Diskins, Anthony Seale, Thomas Stripling, and Thomas Harrison*, be discharged out of Custody, without paying Fees.

Mr Attorney reported, That the Committee, to whom the Bill, for erecting a Town at *Bray's Church*, in the County of *King George*; and for establishing a Town in the County of *Princess-Anne*; and for confirming the Title to Lands purchased therein, was committed, had made several Amendments to the Bill: Which he read in his Place, and afterwards delivered the Bill, with the Amendments, in at the Table; where the Amendments were again read: And the Question being severally put thereupon, were agreed to, by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

Mr Attorney reported, from the Committee, That the Bill, for vesting certain Slaves, late the Estate of *William Chamberlayne*, deceased, in Trustees, for the Uses therein mentioned, was committed, that they had examined the Allegations thereof, and found the same to be true: And he delivered the Bill in at the Table.

Ordered, That the said Bill be ingrossed.

Mr Harrison moved for Leave to present a Bill, for the better Direction of Officers enlisting Soldiers; and to prevent Servants from being enlisted: And after a Debate, and the Question put, that the said Bill be received, the House divided, and the Yea's go forth:

Yea's, 33,

No's, 27,

And so it passed in the Affirmative.

Then the said Bill was received, and read the first Time: And the Question being put, that the said Bill be read a second Time, the House divided, No's go forth:

Yea's, 8,

No's, 49,

And so it passed in the Negative.

Resolved, That the said Bill be Rejected.

A Message from the Council:

That they have passed the Bill, intituled, *An Act, for laying an additional Duty upon Slaves, to be paid by the Buyer, for encouraging Persons to enlist in His Majesty's Service; and for preventing Desertion*, without any Amendment.

A Bill, intituled, *An Act, for raising and levying Recruits to serve in the present War against the Spaniards in America*, was read the third Time.

Resolved, That the said Bill do pass.

Ordered, That *Mr Attorney* do carry the said Bill to the Council, for their Concurrence.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, to oblige the Justices of Surry County, to repair and maintain a Bridge over Nottoway River: And to permit a Bridge to be built, by Subscription, over Pamunky River; and to provide for the Support thereof*: And the Amendments were read, and all agreed to, but one.

Ordered, That *Mr Allen* do carry the Bill to the Council; and acquaint them, That the House have agreed to all the Amendments, by them proposed, to the said Bill, but one: And that they desire they will pass the said Bill, with the Amendments, as agreed to, by this House.

The House proceeded to the Consideration of the Amendments to the Bill, for appointing several new Ferries; and altering the Days for holding Fairs in the Town of Fredericksburg: And the Amendments being read; and the Question severally put thereupon, were agreed to, by the House, and the Blanks filled up.

Ordered, That the said Bill, with the Amendments, be ingrossed.

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The House also proceeded to the Consideration of the Amendments to the Bill, for *altering the Method of acknowledging, or proving and recording certain Deeds therein mentioned*: And the Amendments were read, and agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

The House proceeded to the Consideration of the Book of Claims: And Part of the said Book was read.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'clock.

Saturday, June 14, 1740.

MR. Conway reported, That the Committee of Privileges and Elections, had had under their Consideration, the Returns of the Writs for Electing Burgesses to serve in this present General Assembly, for the Counties of *Accomack*, and *Orange*: And had come to a Resolution thereupon; which he read in his Place, and afterwards delivered in at the Table: Where the same was again twice read, and agreed to, by the House, as follows:

Resolved, That the Returns of the said Writs are made in the Form prescribed by Law.

Ordered, That Mr *Benjamin Needler* be allowed Seventy Five Pounds in the Book of Claims, for his extraordinary Service in collecting and transcribing the old Journals, and for finishing the same, agreeable to his Memorial.

A Message from the Council:

That they have agreed to the Bill, intituled, *An Act for dividing the Parish of St. Mark, in the County of Orange; and erecting the same into Two distinct Parishes*, without any Amendment.

And that they recede from their Amendment to the Bill, intituled, *An Act, to oblige the Justices of Surry County, to repair and maintain a Bridge over Nottoway River: And to permit a Bridge to be built, by Subscription, over Pamunky River; and to provide for the Support thereof*: To which this House disagreed; and have passed the Bill, with the Amendments agreed to, by this House.

And that they have made some Amendments to the Bill, intituled, *An Act, for raising Levies and Recruits, to serve in the present War against the Spaniards in America*: To which they desire the Concurrence of this House.

The House proceeded to the further Consideration of the Book of Claims, and the same was read through: And several Amendments were made to the Book; and the Allowances to the Officers of the General Assembly being added, the Book was agreed to, by the House.

Ordered, That Mr *Beverley* do carry the Book to the Council, for their Concurrence; and that he wait on the Governor, and desire his Assent.

Mr *Attorney* presented to the House, an Account for the One Penny per Gallon upon Strong Liquors imported, granted to the College of *William and Mary*, by the General Assembly, in the Year 1734, to commence the Twenty Fifth Day of October, 1735.

A Bill, intituled, *An Act, for explaining Part of an Act, made for Amending the Act, for settling the Titles and Bounds of Land; and for preventing unlawful Shooting and Ranging thereupon*, was read the third Time.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act, for appointing several new Ferries; and altering the Days for holding Fairs in the Town of Fredericksburg*, was read the third Time; and an Amendment made to the Bill, and the Blanks filled up.

Resolved, That the Bill do pass.

A Bill, intituled, *An Act, for establishing a Town in the County of Princess-Anne, and confirming the Titles to Lands purchased therein*, was read the third Time.

Resolved, That the Bill do pass.

Ordered,

Ordered, That M^r *Fitzhugh* carry the said Bills to the Council, for their Concurrence.

A Bill, intituled, *An Act, for vesting certain Slaves, late the Estate of William Chamberlayne, deceased, in Trustees, for the Uses therein mentioned*, was read the third Time.
Resolved, That the said Bill do pass.

Ordered, That M^r *Carter* do carry the Bill to the Council, for their Concurrence.

A Message from the Council:

That they have agreed to the Book of Claims, without any Amendment.

Ordered, That a Committee for proportioning the Public Levy, be appointed of the following Persons: M^r *Conway*, M^r *Turner*, M^r *Beverley*, M^r *Price*, M^r *Ruffin*, and M^r *Waring*.

The House proceeded to the Consideration of the Amendments proposed by the Council, to the Bill, intituled, *An Act, for raising Levies and Recruits to serve in the present War against the Spaniards in America*: And the same were twice read, and agreed to, by the House.

Ordered, That M^r *Fitzhugh* do carry the Bill to the Council; and acquaint them, That this House have agreed to the Amendments by them proposed to the said Bill.

Ordered,

That the House be adjourned 'til *Monday Morning*, Ten o'Clock.

Monday, June 16, 1740.

Ordered,

THAT a Bill be brought in, for raising a Public Levy: And that the Committee of propositions do prepare and bring in the same.

M^r *Conway* reported, That the Committee appointed, had, according to Order, prepared a Bill, for raising a Public Levy; and the same was received, and read the first Time.

Ordered, That the Bill be read a second Time.

The House proceeded to the Consideration of the Report upon the Treasurer's Accounts, and the same was read; by which it appears, That the Ballance remaining in his Hands, is Five Thousand Three Hundred Eighty Seven Pounds Eleven Shillings and Seven Pence: And the Treasurer's Accounts, with a Duplicate, were passed by the House.

Ordered, That M^r *Carter* do carry the said Accounts to the Council, to be passed by them.

A Bill, for raising a Public Levy, was read the second Time.

Ordered, That the Bill be ingrossed.

A Message from the Council:

That they have passed the Bill, intituled, *An Act, for appointing several new Ferries; and for altering the Days for holding Fairs in the Town of Fredericksburg*.

And also the Bill, intituled, *An Act, for establishing a Town in the County of Princeps-Anne, and confirming the Titles to Lands, purchased therein*, without any Amendment.

Upon a Motion made,

Resolved, That *William Parks*, the Printer, shall be obliged, for the Salary of Two Hundred Pounds a Year, to print the Inspectors Notes and Books, without any further Allowance.

A Bill, intituled, *An Act, for raising the Public Levy*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That M^r *Conway* do carry the Bill to the Council, for their Concurrence.

A Message from the Council:

That they have passed the Treasurer's Accounts.

And

And that they have agreed to the Bill, intituled, *An Act for vesting certain Slaves, late the Estate of William Chamberlayne, deceased, in Trustees, for the Uses therein mentioned.*

And also to the Bill, intituled, *An Act, for raising a Public Levy*, without any Amendment.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Tuesday, June 17, 1740.

MR. Conway reported, That the Persons appointed, had, according to Order, settled the Proportions of the Public Levy; and stated the same in a Book; which he delivered in at the Table: And the same was read, and agreed to.

Ordered, That Mr Conway do carry the Book to the Council, for their Concurrence.

Mr Beverley reported, That the Persons appointed, had, according to Order, examined the Inrolled Bills, and rectified such Mistakes as had been found therein: And that the same were truly Inrolled.

Ordered, That Mr Beverley do carry the Inrolled Bills to the Council, for their Inspection.

A Message from the Council:

That they have agreed to the Book of Proportions; and obtained the Governor's Assent to the same.

And that they have inspected the Inrolled Bills; and are satisfied they are truly Inrolled.

A Petition of *William Parks*, Printer, was recommended by the Governor and Council, to the Consideration of the House, and the same was read; setting forth, That in or about the Year 1728, the General Assembly was pleased to settle a Salary of One Hundred and Twenty Pounds *per Annum* on him, in Consideration of certain Public Services to be performed by the Petitioner, particularly mentioned in his Proposals offered to a Committee of the House of Burgeffes.

That after settling the said Salary, the Petitioner agreed to print Accounts and Receipts for the Inspectors, at the Rate of Three Half Pence *per Sheet*; for which he has been constantly paid by the Treasurer, exclusive of his Salary.

That at the last Session, the House of Burgeffes, in Consideration that the Draw-back upon Foreign Paper was taken off; and that the Petitioner's Services were greatly increased, by the Erecting several new Counties, thought it reasonable, by a *Resolve*, to which the Council gave their Assent, to increase his Salary to Two Hundred Pounds *per Annum*. And by an Order of the House, the Petitioner was to print Quarterly, Accounts of the Imports and Exports of this Colony: And the Council required, That the said Petitioner should deliver out printed Obligations and Receipts to the Collectors of the Duty upon Slaves, without other Recompence, than the Increase of his Salary: All which the Petitioner has done accordingly.

But the House of Burgeffes having, this Session, passed a Vote, that, for the said Salary of Two Hundred Pounds, the Petitioner should print and deliver out Accounts and Receipts to the Inspectors; which, at the Rate aforesaid, amounts to about Seventy Pounds *per Annum*, the Petitioner's Salary would thereby be reduced almost as low as it was first settled, though the Services to be done by him had been considerably increased; by which he should be rendered incapable of carrying on his Business: And praying, That their Honours, by such Ways and Means, as to them should seem advisable, might order such Allowance, as would enable him to carry on his Business in the Public Service, as he had heretofore done: Whereupon a Debate arose.

A Message from the Governor was delivered by Mr Needler:

Mr Speaker,

The Governor commands the immediate Attendance of this House in the Council Chamber: And that you bring with you such Bills as are ready for his Assent.

And Mr Speaker, and the House, went up accordingly. And the Governor was pleas'd to give his Assent to the following Public and Private Bills:

An Act, for the better Security of the Country in the present Time of Danger.

An Act, for laying an additional Duty upon Slaves, to be paid by the Buyer; and for encouraging Persons to enlist in His Majesty's Service.

An Act, for raising Levies and Recruits to serve in the present War, against the Spaniards, in America.

An Act, for dividing the Parish of Saint Mark, in the County of Orange; and erecting the same into Two distinct Parishes.

An Act, for prolonging the Time for bringing Tobacco to the Public Warehouses; and for the sale of Transfer Tobacco.

An Act, for continuing and amending the Act, intituled, An Act, for making more effectual Provision against Invasions and Insurrections.

An Act, for enforcing the Execution of the Laws made, for the better managing and securing Orphans Estates.

An Act, to prevent the Recovery of Money, or other valuable Things, won on Wagers; and for the more effectual Restraint of Gaming at Ordinaries.

An Act, for appointing several new Ferries; and for altering the Days for holding Fairs in the Town of Fredericksburg.

An Act, for establishing a Town in the County of Princess-Anne, and confirming the Titles to Lands purchased therein.

An Act, to oblige the Justices of Surry County, to repair and maintain a Bridge over Nottoway River: And for permitting a Bridge to be built, by Subscription, over Pamunky River; and to provide for the Support thereof.

An Act, for raising a Public Levy.

An Act, for docking the Entail of certain Lands, in the County of Charles City, and vesting the same in Philip Lightfoot, Esquire, in Fee Simple.

An Act, for docking the Entail of certain Lands, in the County of King William, and vesting the same in Richard Chapman, in Fee Simple; and for settling other Lands and Slaves, of greater Value, to the same Uses.

An Act, for vesting certain Slaves, late the Estate of William Chamberlayne, deceased, in Trustees, for the Uses therein mentioned.

And then made the following Speech:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeesses,

TO finish the Business of the Colony with so much Unanimity and Dispatch, and at this important Juncture, by Promoting and Encouraging the intended Expedition, and Providing for your own Defence, to conclude a Session with such remarkable Proofs of your Regard for the Honour of the Crown, must give great Satisfaction to a People, whose true Interest you have so faithfully endeavoured to secure.

AS these Proceedings cannot fail of being acceptable to Our most Gracious Sovereign, and, tho' entirely owing to your good Dispositions, a very great Credit to my Administration; I should do an Injury to your Zeal and Affection for His Majesty's Person and Government, if, besides being Thankful, I did not acknowledge the Sense I have of it, by the Testimony of your Duty and Fidelity.

IT only remains for me to acquaint you, That I have thought fit to Prorogue this Assembly to the Third *Thursday* in *August*, and this Assembly is accordingly Prorogued to that Time.

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JOURNAL
OF THE
HOUSE OF BURGESSES.
1740.



THE
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Thursday, August 21, 1740.

BENJAMIN WALLER, Gent. having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, the Oath of Abjuration and Test, was, by Virtue of a Commission from the Honourable the Lieutenant-Governor, sworn Clerk Assistant to the House; and admitted to his Place accordingly.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy; and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A Message from the Governor was delivered by Mr Needler:

Mr Speaker,

The Governor commands the immediate Attendance of this House in the Council Chamber.

Mr Speaker, with the House, went up accordingly: And being returned, he reported, That the House had attended the Governor in the Council Chamber: And that he was pleased to make a Speech to the Council, and this House: Of which, to prevent Mistakes, he had obtained a Copy: Which he read, and afterwards delivered in at the Table, where the same was again read, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgesses,

THE Preparations for carrying on the War in the most proper Places, and in the most effectual Manner, requiring the Assistance of the King's Dominions in America, which, by their Situation, are made capable of bearing a Part in them, and most likely to be Gainers by any successful Attempt upon the Enemies Territories in *New-Spain*; His Majesty, extending His Care and Concern to all His Subjects, having thought fit, that we, who are called to be Partakers of the Honour of an Expedition, should contribute towards the Expence of it, has been pleased to Command me to lay before you His Royal Instruction; wherein he trusts and expects, that the Costs of Victuals, Transports, and all other incident Charges, for enlisting Men in this Colony for that Service, (the Pay, Cloaths, Tents, Arms and Ammunition excepted) will be provided for and defrayed by you, 'til their Arrival at the General Rendezvous in the *West-Indies*; from which Time the said Transports are to enter into His Majesty's Pay.

THIS, Gentlemen of the House of Burgesses, is what I am Ordered by the King, in His Name, to apply to you for; and since, in His own Words, you cannot render a more acceptable Service to His Majesty, and your Mother Country, nor do any Thing more

essential

essential to your own Interest, I am perswaded, from your known Zeal for His Majesty's Person and Government, and the Remembrance you must have of the Injuries suffered by our Fellow Subjects, from a Nation unprovoked, you will readily and cheerfully support His Majesty in so just a Cause, by granting the Supply demanded.

AND as we have distinguished ourselves by our Readiness in raising Men, and making other early Dispositions, upon the first Order, though thereby our Expence will considerably exceed that of our Neighbours, yet, as such a Testimony of Duty and Loyalty can hardly escape the Notice of our Most Gracious Sovereign, I am sure you will not, by any Reluctancy to answer His Majesty's Expectations, exclude those favourable Sentiments which, otherwise, He may entertain for this Colony.

Resolved,

That an humble Address be made to the Governor, to thank him for his kind and affectionate Speech to the Council, and this House; and to assure him, that we shall cheerfully concur in any Measures, which the Circumstances of the Colony will admit, to convince His Majesty of our Readiness to comply with what he is pleased to ask of us.

Ordered, That a Committee be appointed to draw up an Address to the Governor, upon the said Resolution: And it is referred to Mr Conway, Mr Isham Randolph, Mr Fitzhugh, Mr Blair, and Mr Corbin, to prepare the same.

Resolved, That this House will consider the Governor's Speech To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Friday, August 22, 1740.

MR. Speaker informed the House, that he had in his Hand His Majesty's Instructions, mentioned in the Governor's Speech; which he was directed to lay before the House: Whereupon they were read, and Ordered to lie upon the Table, for the Perusal of the Members.

Ordered, That the Rev. Mr William Dawson be continued Chaplain to this House; and that he attend to read Prayers every Morning at Nine o'Clock.

Mr Conway reported, The Committee appointed, had, according to Order, prepared an address to the Governor; which he read in his Place, and afterwards delivered in at the Table: Where the same was again twice read.

Ordered, That the said Address do lie upon the Table, for the Perusal of the Members.

Ordered, That the Consideration of the Governor's Speech, referred to this Day, be again referred 'til To-morrow.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Saturday, August 23, 1740.

THE House took into their Consideration the Address; which being twice read, was agreed to by the House, without any Amendment, and is as follows:

SIR,

WE His Majesty's most Dutiful and Loyal Subjects, the Burgeffes of the Colony and Dominion of *Virginia*, met in GENERAL ASSEMBLY, beg Leave to return You our most unfeigned Thanks for Your SPEECH, to the Council, and this House.

WE are truly sensible of His Majesty's tender Care and Concern, extended to all, even the most distant of his Subjects. The many Inults, Depredations, and Cruelties, committed by the *Spaniards*, call aloud for the warmest Repentment from every true Subject

Subject of GREAT-BRITAIN. And, since His Majesty has thought it necessary to enter into a War with *Spain*, to vindicate the Honour of His Crown, and to repair the Losses of His Subjects, we think it reasonable that the *American* Colonies, who are at least equally concerned, should contribute to the Expence of it.

WE are sorry that our Circumstances will not allow us to do all we could wish; but beg Leave to assure Your Honour, that we will cheerfully do all that we are able, to comply with what His Majesty has been graciously pleased to ask of us, with a Confidence worthy of the Father of His People.

WE shall take all imaginable Care, by our future Behaviour, to cherish and improve those favourable Sentiments towards us, which our Constant Zeal and known Loyalty to His Majesty's Person and Government, have raised in His Royal Breast.

Ordered, That the said Address be fairly transcribed, and presented by the whole House.

Ordered, That the Committee, who prepared the same, do wait on the Governor, to know his Pleasure, when the House shall attend him to present it.

Ordered, That the Consideration of the Governor's Speech, which was referred to this Day, be further referred 'til *Monday* next.

Ordered, That the House be adjourn'd 'til *Monday Morning*, Ten o'Clock.

Monday, August 25, 1740.

Ordered,
THAT an Address be made to the Governor, to order a new Writ to issue, for electing a Burgesses to serve in this present General Assembly for the County of *Middlesex*, in the Room of Mr *Thomas Price*; who, since the last Session, hath accepted the Office of Clerk of the said County Court.

Ordered, That Mr *Berkeley* do wait on the Governor with the said Address.

Mr *Conway* reported, That the Committee appointed, had, according to Order, waited on the Governor, to know his Pleasure when the House should attend him with their Address; and he was pleased to appoint this Day; and to say he would send a Message to the House when he was ready to receive it.

A Message from the Governor by Mr *Needler*:

Mr *Speaker*,

I am commanded by the Governor to acquaint this House, that his Honour is now ready to receive their Address in the Council Chamber.

Accordingly, Mr *Speaker*, with the whole House, went up: And being returned, reported, That he had, with the House, attended the Governor in the Council Chamber, and presented their Address: To which the Governor was pleased to give the following Answer:

Gentlemen,

I THANK you for your Dutiful and Loyal Address; in which, as you assure me of your Zeal for His Majesty's Service, and express a just Sense of the Obligation you are under, to assist His Majesty in the present necessary Measures, I am convinced you will embrace this Opportunity of perfecting your Declarations, by granting the Supply demanded; an Estimate whereof shall be laid before you.

Mr *Isham Randolph* informed the House, he had in his Hand the Estimate mentioned in the Governor's Answer to the Address; which he was directed by his Honour to lay before the House.

Ordered, That the said Estimate be referred to the Consideration of a Committee of the whole House.

Upon a Motion made,

The House resolved itself into a Committee of the whole House to consider the Governor's Speech: And after some Time spent therein, Mr *Speaker* resumed the Chair;

and

and Mr *Fitzhugh* reported from the Committee, That they had had under their Consideration the Governor's Speech, and gone through the same; and were come to several Resolutions thereupon, which he read in his Place, and afterwards delivered in at the Table; where the same were again twice read, and agreed to by the House, with an Amendment to one of them; and are as follows:

Resolved, That a Sum, not exceeding _____ be given to his Majesty, for defraying the Expences of Victuals, Transports, and other incident Charges, for inlifting Soldiers in his Majesty's Service in this Colony, 'til their Arrival at the General Rendezvous in the *West-Indies*.

Resolved, That for the more easy and speedy raising and paying the said Sum, the Treasurer of this Colony be empowered to borrow the same, at an Interest not exceeding Six per Cent.

Ordered, That a Committee be appointed, to prepare and bring in a Bill pursuant to the said Resolutions; and it is accordingly referred to Mr *Attorney*, Mr *Conway*, Mr *Fitzhugh*, Mr *Richard Randolph*, Mr *Beverley*, Mr *Harrison*, and Mr *Isham Randolph*, to prepare and bring in the same.

Ordered,

That the House be adjourn'd 'til To-morrow Morning Ten o'Clock.

Tuesday, August 26, 1740.

MR. *Attorney* reported, That the Committee appointed, had, according to Order, prepared a Bill, for defraying the Expence of Inlifting, Victualling, and Transporting the Soldiers, raised in this Colony, to serve His Majesty on an intended Expedition against the *Spaniards*, in the *West-Indies*: And the same was received, and read the first Time.

Ordered, That the said Bill be read a second Time.

A Bill, for defraying the Expence of Inlifting, Victualling, and Transporting the Soldiers, raised in this Colony, to serve His Majesty on an intended Expedition against the *Spaniards*, in the *West-Indies*, was read the second Time.

Ordered, That the said Bill be committed for Amendments.

A Motion being made, That the said Bill be committed to a Committee of the whole House. It passed in the Affirmative.

Resolved, That the House will immediately resolve itself into a Committee of the whole House, to consider of Amendments to the said Bill.

The House accordingly resolved itself into a Committee of the whole House: And after some Time spent therein, Mr *Speaker* resumed the Chair; and Mr *Fitzhugh* reported, That the Committee, to whom the Bill, for defraying the Expence of Inlifting, Victualling, and Transporting the Soldiers, raised in this Colony, to serve His Majesty on an intended Expedition against the *Spaniards*, in the *West-Indies*, was committed, had made several Amendments thereto: Which he read in his Place; and afterwards delivered the Bill, with the Amendments, in at the Table: Where the Amendments were again twice read and agreed to, by the House.

Ordered, That the said Bill, with the Amendments, be ingrossed.

Resolved, That an Address be made to His Majesty, and a Petition presented to the Parliament, That we may have the same Liberty of importing Salt from *Portugal*, and other Foreign Parts, as the Northern Colonies have.

Ordered, That Mr *Attorney*, Mr *Richard Randolph*, Mr *McCarty*, Mr *Carter*, Mr *Fitzhugh*, Mr *Corbin*, Mr *Isham Randolph*, and Mr *Hutchings*, do prepare the same.

Resolved, That all the Propositions and Grievances, and Public Claims, presented to this Session of Assembly, be referred to the Consideration of the next Session of Assembly.

Resolved,

Resolved, That all Matters referred from the last Session of Assembly, be again further referred to the Consideration of the next Session of Assembly.

Ordered,

That the House be adjourned 'til To-morrow Morning, Ten o'Clock.

Wednesday, August 27, 1740.

A Bill, intituled, *An Act, for defraying the Expence of Inlisting, Victualling, and Transporting the Soldiers raised in this Colony, to serve His Majesty on an intended Expedition against the Spaniards, in the West-Indies*, was read the third Time, and an Amendment made to the Title of the Bill, at the Table.

Resolved, That the Bill do pass.

Ordered, That Mr Conway do carry the Bill to the Council, for their Concurrence.

Mr Fitzhugh reported, That the Committee appointed, had, according to Order, drawn up an Address to His Majesty, and a Petition to be presented to the Parliament of Great-Britain, to give us the same Liberty of importing Salt from Europe, that the Northern Colonies have: Which he read in his Place; and afterwards delivered in at the Table: Where the same were again severally read; and some Amendments being made thereto, were agreed to, by the House.

Ordered, That the said Address and Petition be fairly transcribed, and a Blank left for the Council.

Ordered, That Mr Fitzhugh do carry the same to the Council, for their Concurrence.

Resolved, That Mr Edward Randolph be appointed Agent to negotiate the said Address and Petition.

Ordered, That Mr Fitzhugh do carry the said *Resolve* to the Council, for their Concurrence.

A Message from the Council:

That they have passed the Bill, intituled, *An Act, for giving His Majesty the Sum of Five Thousand Pounds, for defraying the Expence of Victualling and Transporting the Soldiers, raised in this Colony, to serve His Majesty on an intended Expedition against the Spaniards in the West-Indies*, without any Amendment.

Resolved, That the severals Sums following be paid to the several Officers of the General Assembly, respectively.

To Mr <i>Peter Randolph</i> , Clerk of the House of Burgesses,.....	50	0	0	
To Mr <i>Benjamin Needler</i> , Clerk of the Council,.....	25	0	0	
To Mr <i>Benjamin Waller</i> , Clerk Assistant,.....	10	0	0	
To the Rev. Mr <i>William Dawson</i> , Chaplain,.....	10	0	0	
To Mr <i>Philip Finch</i> , Serjeant at Arms.....	25	0	0	
To <i>John Carter</i> , Door-keeper of the Council,.....	5	0	0	
To <i>John Collet</i> ,	Door-keepers of the House.....	5	0	0
To <i>Thomas Wager</i> ,		5	0	0
To <i>William Francis</i> ,		5	0	0
To <i>James Lavie</i> ,		5	0	0

Ordered, That Mr Fitzhugh carry the said Resolution to the Council, for their Concurrence.

A Motion being made, That the Burgesses should be paid their Wages in Money; for which they should stay 'til there was a sufficient Sum in the Treasurer's Hands to pay the same: And the previous Question being put, That the Question be put upon the said Motion, It passed in the Negative.

Resolved, That the said Motion be Rejected.

Then a Motion was made for Leave to bring in a Bill, for altering the Burgesses Pay: And the Question being put thereupon, It passed in the Negative.

Resolved, That the said Motion be rejected.

A Motion being made, That *William Parks*, Printer, be allowed for Printing the Inspectors Notes and Books, the same that he formerly agreed for, and received:

Resolved, That the said Motion be referred to the Consideration of the next Session of Assembly.

Ordered, That the House be adjourn'd 'til To-morrow Morning Ten o'Clock.

Thursday, August 28, 1740.

A Message from the Council:

That they have agreed to the *Resolve*, for paying the Officers of this House, without any Amendment.

But that they cannot agree to join with the House, in their Address to His Majesty, or Petition to the Parliament, for Liberty to import Salt from *Europe*; and that therefore they think it unnecessary to agree to the *Resolve*, for appointing Mr *Edward Randolph* Agent, to negotiate the said Address and Petition.

Upon a Motion made,

Resolved, That the Resolution passed Yesterday for appointing Mr *Edward Randolph* Agent, to negotiate the said Address and Petition, be erased out of the Journal of the House.

Then a Motion was made, That an Agent be appointed to negotiate the said Address and Petition: And the Question being put thereupon, It passed in the Negative.

Resolved, That the said Motion be rejected.

Resolved, That the *Speaker*, when he carries up the said Address and Petition, do desire the Governor, when he transmits them Home, to use his Interest, that they may have a favourable Reception.

A Message from the Governor, by Mr *Needler*:

Mr *Speaker*, The Governor commands the immediate Attendance of this House in the Council Chamber; and that you bring with you such Bills as are ready for his Assent.

Mr *Speaker*, with the House, went up accordingly; and the Governor was pleased to give his Assent to

An Act, for giving to his Majesty the Sum of Five Thousand Pounds, towards defraying the Expence of Victualling and Transporting the Soldiers, raised in this Colony, to serve His Majesty on an intended Expedition against the Spaniards, in the West-Indies.

And also to the *Resolve* of the House, for paying the Officers their Wages. And then was pleased to make the following Speech:

Gentlemen of the Council, Mr *Speaker*, and Gentlemen of the House of Burgesses,

I GIVE you my hearty Thanks for the ready and chearful Grant of the Supply His Majesty, in His Wisdom, thought proper to demand of you, for the Service of the Expedition, set forth with no other View, than to procure for His People a free Navigation, which, by Treaties, and the Law of Nations, they have a Right to.

Your extraordinary and generous Assistance, will, no Doubt, be remembered to your Advantage; tho', by doing your Duty as faithful Subjects, zealous for the Honour of our Sovereign, the Consideration of our Trade, and the common Interest of the British Dominions, you have only answered your established Character.

With my sincere Wishes for your Welfare, it only remains for me to declare this Assembly prorogued to the last Thursday in December.

APPENDIX.

Appendix.

PETITION OF THE QUAKERS.

To the Honourable the Governor and Council, and Burgeffes, met in General Affembly, at *WILLIAMSBURG*.

The Humble Petition of the People called Q U A K E R S.

WE lay hold of this Opportunity, with all Humility of Mind, to beseech You, That You would be pleased to consider the Case of our Society in this Dominion, who, for the most Part, are the Descendants of Early Inhabitants; and who, as well as our Ancestors, are, and have been, subject to great Loss and Detriment in our Substance and Employment, by Annual Seizures and Distresses made upon our Goods and Persons, on the Account of Parish Levies: A Hardship, we hope, You do not desire we should lye under. And as we humbly conceive, it is in Your Power to relieve us, are therefore the more emboldened to lay before You, this our present aggrieved Case; and the rather, for that, as we have understood, You have been pleased to bestow the like Favour on fundry *German Protestants*, by exempting them from Parish Levies; We (being Native Subjects) are encouraged to hope You will charitably look on our Condition, and afford us some Relief: That being once freed from a Burthen, which we have long and patiently born, we may be the better enabled to follow our Callings, for Support of our Families, according to Faith and good Conscience.

We need not, we hope, tell You, that in most of the Provinces under the *British* Government, our Friends sit easy in this Behalf; either by a Charter of Privileges, or by a Special Law, made for that Purpose.

This, our Native Country, is the first *English* Colony, and immediately under Our most Gracious Sovereign, King *G E O R G E*, who, we hope, looks on us to be universally attach'd to his Interest, and the Succession of His Noble House; and a people not useless, nor inconsiderable, in his Dominions. For,

We pay all taxes for Support of Government; we transgress no Laws of Trade; we keep back no Part of the Revenue due to the Crown; the Public are not charged, in the least, with our Poor; and we nevertheless willingly contribute to the Public Poor, and endeavour to follow Peace with all Men.

To conclude, we are not numerous, which makes it the less difficult for You to grant us such Ease as we pray for: And are far from thinking, that such an Indulgence would increase the Number of real Quakers; and for hypocritical Pretenders, we shall hold ourselves under Obligation, to detect them; so as the Government shall not be imposed on, nor Your Favor any ways abused: And further be pleased to know, it is for Tender Conscience Sake, and not wilfully or obstinately we have hitherto suffered, having sustained more than Treble Damages, for our Conscientious Refusal: And by the Assistance of Divine Grace, preserved from Prejudice, against Those who have been most active against us. We hope it will please the Almighty God to put it into Your Hearts, to say *Amen* to the Prayer of our Petition; and also to hear our Prayers, which are for your Tranquility and Happiness, both in This World, and That which is to come.

Signed, in Behalf of the Society called Quakers, in Virginia.

November 14, 1738.

By

*John Cheadle,
Abraham Ricks,
Wike Hunicut,
William Lad,
Armiger Trotter,
Peter Benford,
William Denson,
William Outland,
John Murdaugh, and
Edmund Jordan.*

*Thomas Pleasants,
Matthew Jourdan,
Thomas Newby,
Thomas Trotter,
Robert Ellyson,
John Crew,
John Pleasants,
Samuel Sebel,
Samuel Jourdan,
John Denson,*

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